

# **LOK SABHA DEBATES**

**SECOND SERIES**

**VOLUME X, 1957**

*9th December to 21st December, 1957*



**THIRD SESSION, 1957**

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**LOK SABHA SECRETARIAT  
NEW DELHI**

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*N.B.*—The sign + above a name of a Member on Questions which were orally answered indicates that the Question was actually asked on the floor of the House by that Member.

## LOK SABHA

*Tuesday, 10th December, 1957*

*The Lok Sabha met at Eleven of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

**"Indian Information" and "Bharateeya Samachar"**

\*929. **Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 367, on the 26th July, 1957, and state:

(a) whether a decision with regard to the publication of the "Indian Information" and "Bharateeya Samachar" has since been taken;

(b) if so, when the journals are likely to be published; and

(c) the estimate of cost?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) to (c). The matter is still under consideration. A decision is expected to be taken soon.

I might, however, inform the House that a decision on principle has been taken that this publication should be resumed.

**Shri D. C. Sharma:** May I know what are the hurdles in the way of the implementation of this decision? Is it the cost or the editorial staff or something else?

**Mr. Deputy-Speaker:** He has said that the decision has been taken; there are no hurdles perhaps now.

**Dr. Keskar:** I might make the matter clear. It is not simply the question of starting the publication. The Estimates Committee recommended that it is desirable that this publication be resumed. At the same time, they advised the Ministry to examine whether the work or the objective that we might achieve by resuming publication will not be served by utilising some of the other periodicals of this Ministry. It was this matter which was being examined during the last few months. It was explained and it was also accepted by the Estimates Committee later that it is not possible for us to utilise the present periodicals for the objectives that the 'Indian Information' periodical might achieve. And, it is only now that it has been definitely decided that it might be resumed. At the same time, we have to bear in mind that this would entail an expenditure of not less than Rs. 2 lakhs to Rs. 3 lakhs; and we have, therefore, to see how it is possible for us to arrange for its resumption.

**Shri D. C. Sharma:** What are those special objectives to which the hon. Minister referred and which, he says, cannot be achieved in an indirect way but must be achieved in a direct way?

**Dr. Keskar:** Informing and educating the public on all policy statements and other authentic information regarding developing economic, social and industrial activities undertaken by Government, the objectives of Government policy both at home and abroad; these and some other things like that will be included and to have it in one place as a compendium is something other than utilising journals at present working in the Ministry but which are for special purposes.

श्री जयन्त शर्मा : चूंकि इस प्रश्न के बारे में काफी देरी हो चुकी है, इसलिये क्या मैं जान सकता हूँ कि देर से देर कब तक इसके प्रकाशन की प्रतीक्षा की जा सकती है ?

डा० केशकर : देरी तो जरूर हो चुकी है, लेकिन चूंकि काफी सर्च का सवाल है इसलिये इसका फिर से शुरू करना सोच विचार कर ही किया जा सकता है ।

**Shri Ansar Harvani:** Is it not a fact that the Publicity Division of the External Affairs Ministry is already issuing literature for this purpose?

**Dr. Kesar:** The Publicity Division caters only for the publicity of the Five Year Plan and nothing else.

#### Industrial Capital Goods

\*930. **Shri Bibhanti Mishra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the off-take of industrial capital goods from foreign countries has fallen down during the period from July, 1957 to 31st October, 1957; and

(b) if so, the reasons therefor?

**The Minister of Commerce (Shri Kanungo):** (a) and (b). The figures of actual off-take of industrial capital goods from foreign countries for the period July, 1957 to 31st October, 1957, are not available.

श्री बिभूति मिश्र : जब देश में कैपिटल गुड्स की इतनी मांग है तो मैं जानना चाहता हूँ कि सरकार को चार महीने का हिसाब देने में क्यों दिक्कत हो गई ?

श्री कामूनजी : हिसाब रखा जाता है । लेकिन अभी तक एक दो महीने का आया है पूरे तीन महीने का नहीं आया है ।

श्री बिभूति मिश्र : सरकार के पास इतना आवश्यक स्टाफ है फिर भी सरकार चार महीने का भी हिसाब नहीं दे सकती ।

मैं नहीं समझता कि घाने हमारी सरकार इनफार्मेशन देने में किस तरह से मदद करेगी ?

उपपक्ष्यक महोदय : यह तो दूसरा सवाल है ।

**Shri Gajendra Prasad Sinha:** Just now the hon. Minister said that he has not got all the figures but the figures for a month or two. May I know what is the actual situation according to those figures?

**Shri Kanungo:** The situation is that in July, 1957, capital goods to the value of Rs. 1,623 lakhs have been imported.

#### Import of Textile Machinery

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\*931. { **Shri Shree Narayan Das:**  
**Shri Radha Raman:**

Will the Minister of Commerce and Industry be pleased to state:

(a) the names of countries with which agreements have been concluded or are proposed to be concluded to import textile machinery;

(b) the nature of agreements with each of them,

(c) the value of such imports; and

(d) the extent of import that has already been made?

**The Minister of Commerce (Shri Kanungo):** (a) Agreements have been concluded with the German Democratic Republic and Japan. Negotiations are in progress for concluding an agreement for import of Textile Machinery with Czechoslovakia.

(b) Agreements with German Democratic Republic and Japan secure deferred payment terms for 4 and 5 years respectively. In the former case, the sale proceeds would be utilised to purchase Indian goods while in the latter payments would be made to the Japanese sellers direct.

(c) Rs. 1.2 crores worth of Textile machinery would be imported under

the agreement with German Democratic Republic. The agreement with Japan is an open one and does not stipulate any ceiling.

(d) No imports have so far been made under any of these agreements.

**Shri Shree Narayan Das:** As a result of this agreement, may I know what part of our requirements will be met?

**Shri Kanungo:** This is an offer which is available and it is up to the buyers to decide how much they will buy.

**Shri Shree Narayan Das:** May I know whether any assessment of the textile machinery required by India during the Second Five Year Plan has been made and what part of this requirement will be met as a result of this agreement and what part will remain?

**The Minister of Industry (Shri Manabhai Shah):** The balance of the Second Five Year Plan requires textile machinery to the value of about Rs. 55 crores and this will only meet under 10 per cent.

**Shri C. D. Pande:** May I know whether Government have taken full steps to see that the local installed capacity has been fully exhausted so that this may not be superfluous?

**Shri Manabhai Shah:** The hon. Member will be pleased to learn that the textile machinery industry has made remarkable progress in the last 5 years so that the production has risen from Rs. 1.2 crores to Rs. 9 crores in the current year.

**Shri Narayanankutty Menon:** May I know whether licences have already been granted to this machinery which comes under this scheme or whether any machinery is remaining under this agreement for which licences will be granted in future?

**Shri Manabhai Shah:** Under this agreement only such machinery will be allowed which is not manufactured in the country and that too within the monetary ceiling.

**Shri E. Ramanathan Chettiar:** How much of these imports relate to the dollar area?

**Shri Manabhai Shah:** This is only a country to country agreement; so the dollar area does not come in. One is the Democratic Republic of Germany and the other is Japan.

**Shri Radha Raman:** May I know whether in view of the progress that the textile industry has made in our country and the benefit that the country has derived therefrom, Government has made a survey to find out the time which will be taken to make India self-sufficient as regards the textile machinery industry?

**Shri Manabhai Shah:** As I have repeated it before the House, by 1960-61 we shall be more than self-sufficient.

**Shri B. S. Murthy:** May I know how the prices of West Germany compare with those of Japan?

**Shri Manabhai Shah:** The quality of our machinery is much better in some cases and where we are lacking we are taking steps to improve the quality. Prices compare favourably.

**Shri Hoda:** The Minister has already admitted that the textile manufacturing industry in our country has made tremendous progress. In view of that may I know what type of machinery is being allowed to be imported; is it the same as we manufacture or is it of some different type?

**Shri Manabhai Shah:** Machinery for the blow-room line, high draft casa-blanca and some of the high speed wrapping and winding machines and automatic looms are not yet manufactured adequately in the country—it is only those machinery which are allowed to be imported; also a small portion of drawing-frame, inter-roving and slubbing—a portion of which is not covered etc. are being allowed to be imported.



Portuguese case in the Hague Court

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\*332. { Shri Keshava:  
Shri D. C. Sharma:  
Shri Shree Narayan Das:  
Shri Radha Raman:  
Shri S. C. Samanta:  
Shri Subodh Hansa:  
Shri Supakar:  
Sardar Iqbal Singh:  
Shri N. R. Munsamy:

Will the Prime Minister be pleased to state:

(a) the progress made so far in the conduct of the case filed by Portugal against India in the Hague Court; and

(b) the date, if any, fixed for the judgment?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). The Government of India did not consider that the International Court had jurisdiction to decide the case with all its attendant circumstances. The Government of India therefore raised six preliminary objections. In regard to four of these the Court overruled them. In regard to the other two, they decided that they would be considered later at the time of hearing. The Court has fixed February 25, 1968, for the submission of our reply to the Portuguese claim. It is too early to say when the final judgment on the merits of the case will be given.

Shri Keshava: May I know, madam, whether, in view of the fact that there is a dispute regarding the scope of this judgment, is there any proposal.

Mr. Deputy-Speaker: I would not allow the question when particularly it has been addressed to the lady Minister!

Shri Keshava: In view of the fact that there is a dispute regarding the scope of this judgment, is there any proposal to seek a revision of this portion of the judgment?

Shrimati Lakshmi Menon: Which is that portion of the judgment? I have already said that the first four issues were rejected, and the other two would be considered later.

Several Hon. Members rose—

Mr. Deputy-Speaker: When ten Members get up and all of them shout out "May I know, Sir," I can call only one Member. And the position remains the same even if they stood silent, for, I could call only one of the Members who catches my eye. Therefore, it would be better if this process was followed.

Shri Narayanankutty Menon: The angle of vision is so much that we may not be able to catch the eye of the Chair if some others stand up.

Mr. Deputy-Speaker: It should perhaps be left to me. If I am incapable, some other method should be found.

Shri D. C. Sharma: The hon Minister said just now that four issues have been rejected, and only two issues remain for decision. May I know what is the overall effect of the rejection of those four issues on the overall picture of this case, and whether those issues were very significant? What is the view of the Government of India?

Mr. Deputy-Speaker: That would be an opinion.

Shri Narayanankutty Menon: In view of the fact that the Government of India considers that the International Court of Justice has no jurisdiction over the matter, may I know whether the Government will consider withdrawing from appearing before the International Court of Justice at all in this case?

Shrimati Lakshmi Menon: That question has not been decided—about the scope and jurisdiction of the International Court of Justice.

Shri Hem Barua: In view of the fact that India has subscribed to an optional clause in the Statute of the Court which provides for automatic jurisdiction, may I know if Portugal

has subscribed to that clause or reserved for herself the right to demand exclusion from any further categories of dispute?

**Shrimati Lakshmi Menon:** This is one of the objections.

**Dr. Ram Subhag Singh:** Whatever may be the judgment of the Court, may I know whether the Government of India will stick to its policy of not allowing any power to suppress any people, and on that ground, not to allow passage to the Portuguese authorities?

**Shrimati Lakshmi Menon:** I did not follow the latter part of the question.

**Dr. Ram Subhag Singh:** May I know whether the Government of India will stick to follow its policy in encouraging the rights of the colonial people to become free, and in view of the fact that that is the policy, may I know whether the Government of India will not allow the Portuguese authorities to go to Dadra and Nagar Haveli?

**Mr. Deputy-Speaker:** It is a good suggestion for action.

**Shri Naushir Bharucha:** May I know if the Government is aware that there are other preliminary issues also besides those raised, and whether it is the intention of the Government to raise such issues?

**Shrimati Lakshmi Menon:** Yes, Sir. All this is under consideration.

**Shri N. R. Munisamy:** May I know whether there is any agency or provision in this International Court of Justice to enforce its verdict against any sovereign country?

**Shrimati Lakshmi Menon:** That does not arise from this question.

दिल्ली में मूर्तियाँ स्थापित करने के सम्बन्ध में समिति

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२३१. { श्री जसत दलन :  
श्रीमती इला दल चौधरी :

तथा निर्माण, आवास और सम्भरण मंत्री  
विभाग ४ दिसम्बर, १९५७ के तारखित

प्रश्न संख्या १४६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली में उपयुक्त स्थानों पर मूर्तियों की स्थापना करने के सम्बन्ध में सरकार को मंत्रणा देने वाली समिति में कौन कौन व्यक्ति नियुक्त किये गये हैं;

(ख) समिति ने किन-किन स्थानों पर तथा किन-किन नेताओं की मूर्तियाँ स्थापित करने की सिफारिश की है ; और

(ग) समिति की सिफारिशों कहां तक कार्यान्वित की गई हैं ?

निर्माण, आवास और सम्भरण उपमंत्री  
(श्री अनिल कुं. बन्ना) : (क) समिति के वर्तमान सदस्य यह हैं :—

(१) श्री ए० डी० पंडित, आई० सी० एस०, चीफ कमिशनर, दिल्ली ।

(२) श्री जे० एम० रिमवानी, आई० एस० ई०, चीफ इंजीनियर, सी० पी० इबल्यू० डी० ।

(३) श्री एस० के० जोगलेकर, चीफ आर्किटेक्ट, सी० पी० इबल्यू० डी० ।

(४) श्री आर० एन० अग्रवाल, प्रेसीडेंट, दिल्ली म्यूनिसिपल कमिटी ।

(५) श्री सी० बी० दुबे, प्रेसीडेंट, नई दिल्ली म्यूनिसिपल कमिटी ।

(६) श्री ए० बी० बेन्कटासुब्बन, उप-सचिव, स्वास्थ्य मंत्रालय ।

(७) श्री फतेह सिंह, उप-सचिव, गृह मंत्रालय ।

(८) श्री डी० पी० कानिक, उप-सचिव, निर्माण, आवास तथा सम्भरण मंत्रालय ।

(ख) अभी कोई सिफारिशें नहीं मिली हैं ।

(ग) बजट पैसा नहीं होता ।

Some Hon. Members: English.

Shri Anil K. Chanda: The names are the same in English.

Mr. Deputy-Speaker: The other answers may be read.

Shri Anil K. Chanda: For (b) and (c), the answer is:

(b) No recommendations have yet been received.

(c) Does not arise.

श्री भक्त वर्मन : क्या इस कमेटी को यह आदेश दिया गया है कि इस समय दिल्ली में जो विदेशी शासकों की मूर्तियां हैं, उनको हटा कर उनके स्थान पर नई मूर्तियां स्थापित की जायें या अलग नये स्थानों पर यह मूर्तियां स्थापित करने का विचार है ?

Shri Anil K. Chanda: The question was asked about the installation of statues and not about their removal. So far as I know, we are not undertakers for the burial of the ugly statues.

Shrimati Ila Palchaudhuri: May I know whether, in considering the statues that are to be ultimately established in Delhi, any artists have been consulted, so that the statues may really be beautiful?

Shri Anil K. Chanda: No firm proposals have yet been made. There have been certain tentative proposals about certain statues, but up till now, we have not any information or any firm proposal about the amounts which are available, etc. Till those details are available, the Government cannot decide.

श्री भक्त वर्मन : श्रीमन्, क्या कोई सूची तैयार की गई है जिसमें से कि इस समिति को यह छांटने का अधिकार होगा कि किन किन महान व्यक्तियों की मूर्तियां स्थापित की जायें ?

Shri Anil K. Chanda: Certain proposals have been made by the Municipal Committee of Delhi and also certain private organisations. Tentative

sites have been selected but, as I indicated earlier, till a firm proposal is made to Government, particularly with regard to the financial commitments, it is not possible to come to any final decision.

Shri B. S. Marthy: May I know whether this Committee formulated any proposals regarding the raising of statues, besides the resolutions and proposals made by the Municipal Committee and also why women are not added to this Committee....

Mr. Deputy-Speaker: Only one question. No 'also' should be added.

Shri Anil K. Chanda: Some sites have been tentatively earmarked for some statues. For instance, there was proposal that a statue of the late Swami Shraddhananda should be put up. A site has been selected for it, but up till now, as I said earlier, there has been no definite information with regard to the funds which are to be made available for these statues.

Shri B. K. Gaikwad: In the proposals which have been submitted by the Delhi Municipal Committee, may I know whether the name of Dr. B. R. Ambedkar, the architect of the Constitution of the Republic of India, and who was the only leader of the downtrodden masses of India.

Mr. Deputy-Speaker: The question may be put straight.

Shri B. K. Gaikwad: Because we are not allowed another question, and that is why in one question I have put everything.

Mr. Deputy-Speaker: The hon. Member may have a similar complaint even now. He might put his question straight, precisely and briefly.

Shri B. K. Gaikwad: I only wanted to bring to the notice of the Government—

Mr. Deputy-Speaker: Whether the statue of Dr. Ambedkar is being installed or not.

**Shri B. K. Gaikwad:** Yes, Sir, and who was highly respected colleague of Mr. Pant, the Home Minister who had great regard for him.

**Mr. Deputy-Speaker:** No "and" has to be added.

**Shri Anil K. Chanda:** I said in my answer that no proposals have yet been made before the Government by this Committee. The Committee had two sittings. I have looked into the names suggested by various public organisations, and subject to correction, I think Dr. Ambedkar's name is not in the list.

**Shri Nath Pal:** Will you include it now?

**Shri Anil K. Chanda:** I have already said that I have looked into it. His name is not in the list which was put before this Committee.

**Shri Thimmalah:** May I know whether, other than Delhi, any other places have also been selected for erecting these statues?

**Shri Anil K. Chanda:** That is for the State Governments concerned.

#### **Economic Sanctions against India**

\*924. **Shri Gajendra Prasad Sinha:** Will the Prime Minister be pleased to state whether Pakistan has demanded economic sanctions against India in the Security Council?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** During the current discussions on the Kashmir issue in the Security Council, the representative of Pakistan during his intervention on 24th September, 1957 stated "Owing to the persistent default of India to carry out her international commitments and solemn obligations, this dispute now clearly involves a threat to peace, and attracts the provisions of Articles 39 and 41 of Chapter VII." Article 41 of the U.N. Charter, mentioned by the representative of Pakistan refers to "measures not involving the use of the armed forces", including economic sanctions.

**Shri Gajendra Prasad Sinha:** May I know what has been the reaction of the Security Council members of the SEATO and Baghdad Pact? Has the Government of India ascertained their views or not?

**Shrimati Lakshmi Menon:** I really do not understand the question.

**Mr. Deputy-Speaker:** Has the Government of India ascertained the attitude of the members of the SEATO and Baghdad Pact?

**Shrimati Lakshmi Menon:** Why should the Government of India ascertain their views?

**Shri D. C. Sharma:** May I know whether the suggestion of the distinguished representative of Pakistan was taken seriously by the Security Council or not?

**Mr. Deputy-Speaker:** Mr. Panigrahi.

**Shri Panigrahi:** May I know whether Pakistan, after moving this resolution, has really approached the other powers to use economic sanctions against India?

**Shrimati Lakshmi Menon:** That is a question which should be addressed to the Pakistan Government.

**Shri Gajendra Prasad Sinha:** May I know whether the representative of Pakistan has brought this before the Security Council just to bring pressure on the Government of India and the Government of India's neutral policy? What is the opinion of the Government?

**Mr. Deputy-Speaker:** Opinions are not to be asked for.

**Shrimati Kenu Chakravarty:** May I know whether there is any truth in the statement which has appeared in the press to day that during the visit of Shri Amjad Ali, the Minister of Pakistan, discussions have taken place with our Prime Minister regarding further closer collaboration economically?

**Mr. Deputy-Speaker:** The question is about economic sanction. Collaboration would be just the opposite.

**Shrimati Renu Chakravartty:** That is why I have put this question.

**Shri Gajendra Prasad Sinha:** Is it a fact that the pressure that the Western powers have brought and the way in which they have raised this question in the Security Council is just to divert India from its neutral policy to something else?

**Shrimati Lakshmi Menon:** No pressure can be brought to bear on India because India has not done and is not going to do anything which might be construed to cause breach of peace or an act of aggression.

### Machine Tools

\*935. **Shri Heda:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have examined the question of setting up of small machine tool factories on the pattern of the machine tool factories in Italy;

(b) if so, whether any decision has been taken on the subject; and

(c) what would be its effect on the general pattern of rationalisation in our industry?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). The Development Council for the Machine Tool Industry is examining how far machine tools can be manufactured in small shadow factories as in Italy. It will greatly help in the development of machine tool industry.

**Shri Heda:** When do the Government expect that the consideration will be over and the decision will be taken?

**Shri Manubhai Shah:** As far as the consideration is concerned, we always encourage the establishment of shadow industries and factories. The Council has to give concrete proposals and as

soon as concrete proposals are received, they will be considered.

**Shri Heda:** May I get some short sketch of the proposals as to how many centres will be opened and whether they will be distributed all over the country?

**Shri Manubhai Shah:** Recently the Development Council recommended certain proposals. The licensing Committee has already approved 15 new schemes.

**Shri R. Ramanathan Chettiar:** When do we expect to be self-sufficient in respect of machine tools?

**Shri Manubhai Shah:** Not for a long time yet.

**Shri S. M. Banerjee:** May I know the number of machine tool factories and their annual production?

**Shri Manubhai Shah:** Just now there are 18 machine tool factories—two in the public sector. A third one is coming in the public sector. The rest are in the private sector. The production is worth Rs 2.25 crores annually in the organised sector.

### Modernisation of Jute Industry

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\*936. { **Shri Raghunath Singh:**  
          **Shri R. S. Tiwari:**

Will the Minister of Commerce and Industry be pleased to state:

(a) what steps are being taken to help modernise the jute industry of India in order to reduce the cost of production of jute goods;

(b) the amount of financial assistance given so far for rationalisation of jute industry; and

(c) the names of firms to whom such assistance has been given?

**The Minister of Commerce (Shri Kanungo):** (a) Loans are being given for the purpose by the National Industrial Development Corporation.

(b) Rs. 50,91,000.

(c) (i) The Fort Gloster Industries Ltd.,

(ii) Khardah Jute Mills.

श्री रघुनाथ सिंह : जो भी जूट मिलें हिन्दुस्तान में भाज हैं उन में से कितनी मिलों में माडर्नाइजेशन का प्रयोग किया जायेगा ?

श्री मनुभाई शाह : ५० परसेंट मिलों का माडर्नाइजेशन हो गया है ।

श्री रामेश्वर टाटिया : मैं यह पूछना चाहता हूँ कि जो मिले ऐसी हैं जिन्होंने नवीनीकरण के लिये रुपये की कोई मांग नहीं की है पर जो बराबर लाभ दिखा रही हैं, क्या सरकार ऐसी मिलों को अपने हाथ में ले कर नवीनीकरण करेगी, जिससे क्षमता होल्डरों का रुपया बरबाद न हो सके ?

श्री मनुभाई शाह : हमारा किमी मिन को लेने का इरादा नहीं है खास कर जा ऐसी खराब मिलें हैं । हम तो ऐसी काशिये करते हैं कि वे यहाँ भायें और एम्प्लिफिकेशन दें । उस-बाद मेरिट्स पर ध्यान जाय पड़नाल वरन व-बाद उनकी मिक्योरिटी अच्छी हुई तो लोन दिया जायगा ।

Shrimati Renu Chakravarty: In view of the fact that foreign loan assistance is going to come largely to the private sector, may I know whether the NIDC funds reserved for rationalisation purposes will now be made available for the public sector?

Shri Manubhai Shah: As the hon. lady Member is aware, the NIDC has two-fold programmes. One is to establish in the public sector certain heavy industries and the second one is modernisation of the cotton textile and jute mills. The second programme relates exclusively to industries in the private sector.

Dr. Gobekar: May I know whether this will create any unemployment and, if so, what steps the Government are going to take to remove unemployment?

Shri Manubhai Shah: One of the conditions of modernisation is that modernisation should take place without retrenchment.

Shri A. C. Guha: May I know the total amount that would be required for modernisation of jute mills in Calcutta and how much of that will be supplied by the NIDC?

Shri Manubhai Shah: In the Second Five Year Plan we have provided Rs 20 crores for modernisation of cotton and jute mills.

Shri Biren Roy: Is the hon. Minister aware that as a result of rationalisation, many jute mills in Calcutta have already retrenched many people and there is lot of unemployment?

Shri Manubhai Shah: That is quite a separate question. Apart from modernisation and the NIDC loans for rationalisation, the Labour Ministry and our Ministry has gone into the question and we try to avoid such hardship as may be there.

Shrimati Renu Chakravarty: Does the hon. Minister know that there has been displacement or retrenchment in Fort Gloster Mills and Khardah Jute Mills?

Shri Manubhai Shah: As far as I am aware due to modernisation and loans given by the NIDC, no retrenchment has taken place in the strength of Labour.

Indian Industrialist Delegation

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Shri Harish Chandra Mathur:  
Shri D. C. Sharma:  
Shri Raghunath Singh:  
\*933. Shri Mohan Swarup:  
Shri T. K. Chaudhuri:  
Shri Rameshwar Tanti:  
Sardar Iqbal Singh:  
Shrimati Renu Chakravarty:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the private Indian Mission abroad headed by Shri G. D. Birla has submitted any note

regarding prospects of foreign investment in this country; and

(b) if so, its nature?

**The Minister of Industry (Shri Manubhai Shah):** (a) No, Sir.

(b) Does not arise.

**Shri Harish Chandra Mathur:** May I know whether Government's attention has been drawn to the reports appearing in the press regarding the delegation's report?

**Shri Manubhai Shah:** As far as the press item is concerned, we have read such a report. But so far no presentation of that report has been made by the Federation to us. The news item was regarding the presentation of the report by the mission to the Federation.

**Shri Harish Chandra Mathur:** May I know whether the Government of India is not interested in the tour impressions and the recommendations of that mission? Why have they not got in touch with them?

**Shri Manubhai Shah:** We have not heard from them. The presentation of the report has to be made by them.

**Shri T. K. Chaudhuri:** May I know whether there was any formal or informal consultations between the Federation of Indian Chamber of Commerce and Industries and the Government as to the necessity of sending such a delegation under the leadership of Mr. Birla to USA and other foreign countries and timing it in such a manner as to synchronise it with the proposed visit of the Finance Minister to the USA?

**Mr. Deputy-Speaker:** That would not be a question. It would simply be a long statement. The question should be brief and concise.

**Shri T. K. Chaudhuri:** I want to know whether there was any consultation with the Chamber as to the timing and synchronisation of the visit of the Finance Minister and the Industrial Delegation?

**Shri Manubhai Shah:** I would divide the question of the hon. Member into two parts. The Birla Mission did go with the full knowledge of the Government of India. As far as the second part of the question, that is, synchronisation is concerned, it was a pure accident.

**Shri Hem Barua:** May I know whether the Government is aware of the fact that this Industrial Delegation is of the opinion that the US Congress are at this stage in no mood to offer any sizable loan to India, because, as it says, the U.S. Congress is at present economy-minded and politically anti.

**Shri Manubhai Shah:** I don't think that would be correct. Of course, we have not received any report from them. The mission has not yet conveyed, either informally or formally, their such impression; nor do I think that the presumption of the hon. Member is quite correct.

**Shri R. Ramanathan Chettiar:** May I know whether the Government has received a note from the U.S. Department of Commerce on the question of foreign capital to this country?

**Shri Manubhai Shah:** No sir.

**Shri Radha Raman:** In view of the fact that this delegation visited quite a large number of countries in Europe and U.S.A., and the Indian Embassies there were conscious of their visit, has the Government received any note from these Embassies or from the other agencies as to the impressions they created there?

**Shri Manubhai Shah:** On the whole, from whatever information we have received, the visit has been quite satisfactory and has created good contacts and served as a goodwill mission for which it was really intended.

**Shrimati Benu Chakravartty:** Has the attention of the hon. Minister been drawn to the statement of Shri G. D. Birla in Calcutta yesterday that there is a good scope for loans coming only for the private sector? Is that a fact?



**Shri Manubhai Shah:** I have not gone into the details of the statement. Any loan assistance that comes, comes both for the private and the public sector. And it is not through only one mission that a country gives a loan to this country.

**Shri Heda:** In view of the complementary purpose of this mission with that of the visit of the Finance Minister, may I know what type of co-ordination was maintained between these two, and whether from time to time any reports of talks held by this mission individually or in a group with various industries or banking interests there was submitted to the Government?

**Shri Manubhai Shah:** There was no attempt at co-ordination except what might take place in normal conferences and meetings. As far as the programme of the mission was concerned, they determined where to go, how to go and whom to meet. The Finance Minister also met bankers, several industrialists and others; so also the mission members.

#### Film Finance Corporation

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\*929. { **Shri A. S. Saigal:**  
          **Shrimati Ila Palchoudhuri:**

Will the Minister of Information and Broadcasting be pleased to state the progress made towards setting up of:

- (a) a Film Institute;
- (b) Film Production Bureau; and
- (c) Film Finance Corporation?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) to (c). The matter is still under consideration and is in the final stage.

**श्री डॉ० सि० सहगल :** क्या मैं जान सकता हूँ कि वे कौन कौन सी समस्याएँ हैं जिनके कारण फिल्म इंस्टीट्यूट, फिल्म प्रोडक्शन ब्यूरो, और फिल्म फाइनेंस कारपोरेशन को जल्दी से जल्दी पूरा करने में अड़चनों का सामना करना पड़ रहा है ?

**डॉ० केशकर :** अड़चनों का सवाल नहीं है। फिल्म फाइनेंस कारपोरेशन के बारे में फाइनेंस मिनिस्ट्री, सा मिनिस्ट्री और इस मिनिस्ट्री के बीच सलाह मशविरा हुआ और एक कमेटी बिठाई गई थी। उस कमेटी की रिपोर्ट आने पर उस कमेटी की राय के मुताबिक एक बिल का मसविदा तैयार हो रहा है। वह करीब करीब तैयार है। फिल्म इंस्टीट्यूट के बारे में गवर्नमेंट ने निश्चय कर लिया है लेकिन आज कल जो फारिन एक्सचेंज की दिक्कत है उसके कारण इंस्टीट्यूट के लिये जो जरूरी मशीनरी है वह लाने में कितना वक्त लगेगा यह कहना मुश्किल है।

**श्री डॉ० सि० सहगल :** मेरा जो फिल्म प्रोडक्शन ब्यूरो के बारे में सवाल था उस पर मंत्री महोदय ने प्रकाश डालने की कृपा नहीं की।

**डॉ० केशकर :** फिल्म प्रोडक्शन ब्यूरो जो है उसका नाम प्री-मैमरशिप आफ स्क्रिप्ट है। इस बारे में हमने अपना एक यूनिट तैयार कर लिया है। लेकिन यह खयाल किया जाता है कि इस बारे में कुछ कास्टीट्यूशनल इश्यूज ऐसे आ गये हैं कि जिनके कारण एक बार फिर से भारत सरकार को इस बारे में सोचना पड़ेगा।

**सेठ अचल सिंह :** इस स्कीम को पूरा करने में कितने रुपये की जरूरत होगी ?

**डॉ० केशकर :** ये सब अलग अलग स्कीम्स हैं।

**Shrimati Ila Palchoudhuri:** Once this Film Institute comes into being, will the Central Board of Film Censors be dissolved?

**Dr. Keskar:** The hon. Member has not understood the objective of the Film Institute. It is meant for giving technical training to the technicians of the industry and not for censorship.



# Displaced Persons from West Pakistan

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\*940. { Shri Rameshwar Tantia:  
Shri Ajit Singh Sarhadi:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 902, on the 14th August, 1957, and state:

(a) the number of displaced persons at Lahore Camp awaiting repatriation to India;

(b) the steps taken by Government for their early repatriation;

(c) the steps taken for the rehabilitation of displaced persons in Amritsar Camp; and

(d) whether their claims for the properties left in West Pakistan are proposed to be considered?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) One.

(b) The person concerned has been in the Camp only since the end of September, 1957. Efforts are being made to repatriate him as early as possible.

(c) A scheme for the resettlement of about 160 Kohati families in Sirohi District of Rajasthan is being finalised. Efforts are also being made to find land or employment or some kind of vocation for the remaining families.

(d) No.

Shri Rameshwar Tantia: With respect to the properties left by such persons in West Pakistan for which we have to pay them here, may I know whether we will realise it from the Pakistan Government or not?

Shri Mehr Chand Khanna: Is the hon. Member referring to the displaced persons who came in the early stages or those who are coming to India now?

Mr. Deputy-Speaker: He might be referring to those who are mentioned in the question.

Shri Rameshwar Tantia: My question was, with regard to the property which has been left in West Pakistan by such persons for which we are paying them here, we will get that money?

Mr. Deputy-Speaker: To whom are we paying?

Shri Rameshwar Tantia: To the displaced persons who are coming to India from Pakistan.

Mr. Deputy-Speaker: That is, both in camp and all those who have come since 1947? These have been settled long ago. Perhaps the hon. Member is too late.

Shri B. S. Murthy: May I know whether the attention of the hon. Minister has been drawn to a press note that several Harijans, men, women and children, who are willing to come to India were being prevented by the Pakistan Government by one way or the other; if so, may I know what steps are proposed to be taken to see that those who are willing to come here are allowed to come freely?

Mr. Deputy-Speaker: That question has already been answered by the Prime Minister.

Shri D. C. Sharma: May I know if it is in view of the fact that there is only one inmate at present in the Lahore Camp that it has been decided to close this camp?

Shri Mehr Chand Khanna: We are not closing this camp on account of the fact that only one person is there. In our view there is no need for the camp any longer.

## Technical Centres

\*942. Shri M. R. Krishna: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that under the Indo-Japanese Technical Agree-

ment, technical centres are proposed to be opened in the country—

(b) if so, how many such centres will be opened;

(c) whether the entire amount for running these centres will be borne by India;

(d) the financial arrangements; and

(e) how many centres are proposed in the south, particularly in Andhra?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (e). No agreement has so far been concluded between the Governments of India and Japan for setting up technical training centres in India. The proposal is in a very preliminary stage at present and details are being worked out.

**Shri M. R. Krishna:** Since the village and cottage industries functioning in this country are designed on the pattern of Japan, may I know whether any team has so far been sent to Japan to study those industries or whether any experts from Japan are likely to come to this country?

**Shri Manubhai Shah:** No official team for this specific purpose has gone. But there have been several contacts, and several officers and experts have gone there from time to time, and Japanese experts also have come here. We very much like to see, like other countries, for instance Britain, Germany and the United States, that we take up some of the patterns of small-scale industries as in Japan as we are doing from other countries.

**Shri M. R. Krishna:** May I know whether the small-scale industries and other training given under the United States Technical Assistance scheme differs from the one which is likely to be started with the Japanese help?

**Shri Manubhai Shah:** This particular scheme about which there is a mention in the two Prime Ministers' statement, is meant for an intensive training in the technology of small-

scale production, and that will be giving training to about fifty to sixty industries in one place.

**Shrimati Renuka Ray:** Is it a fact that the West Bengal Government sent a study team to Japan and they have drawn up some such schemes, and may I know whether the Central Government has given any aid or is proposing to give any aid to the cottage industries started under the Japanese method in West Bengal?

**Shri Manubhai Shah:** As the hon. Member is aware, the Chief Minister of West Bengal himself led the team that went to Japan, and they have made certain studies. But no formal scheme from them has been received by the Government of India for any assistance, technical or financial.

**Dr. Gohokar:** May I know in what particular industries this agreement will be useful?

**Shri Manubhai Shah:** For the present we are thinking of small machine tool industry, foundry and also light electrical industry.

### काजू के कारखाने

\*६४३. श्री आनंद : क्या वास्तविक तबू उद्योग मंत्री यह बताने का कृपा करेंगे कि—

(क) क्या सरकार को यह ज्ञान है कि काजू के, जिन्हें काफ़ी इतर प्राप्त होने हैं, कारखाने मनागिरि जिने (बम्बई राज्य) में बन्द हो रहे हैं,

(ख) यदि हां, तो क्या सरकार ने उनके बन्द होने के कारणा के बारे में जांच की है,

(ग) क्या सरकार को यह भी ज्ञात है कि हजारों मजदूर बेकार हो गये हैं और उनका आर्थिक हालत बहुत खराब है; और

(घ) यदि हाँ, तो सरकार काइस सम्बन्ध में क्या कार्यवाही करने का विचार है ?

वाणिज्य मंत्री श्री कामुनजी) : (क) जो नहीं ।

(ख) से (घ). प्रश्न नहीं उठाते ।

#### Diplomatic Services

\*944. { Shri Parulekar:  
Shri S. V. Ramaswami:

Will the Prime Minister be pleased to state:

(a) the number of I.C.S. Officers in India's diplomatic services; and

(b) the number at present serving in European countries and the number serving in East Asian, South Asian and West Asian countries?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):  
(a) 30.

(b) (i) In European countries 3  
(ii) In South, East & West Asian countries 13

#### Indian Rare Earths Employees' Association

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\*945. { Shri Narayanankutty Menon:  
Shri Warior:

Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1292 on the 5th September, 1957 and state whether any decision has been taken on the demands submitted by the Indian Rare Earths Employees' Association?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): The matter is still before the Conciliation Officer (Central) Cochin.

Shri Narayanankutty Menon: In view of the fact that the dispute has been pending before the Conciliation Officer for the last one year, will the

Government be pleased to take steps to see that the dispute is settled at least now?

Shrimati Lakshmi Menon: The Government are always taking adequate steps to see that these things are expedited.

#### State Trading Corporation (Private) Limited

\*946. Shri N. E. Munsamy: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that State Trading Corporation sold sizable quantities of manganese ore to foreign countries at approximately \$49 per ton around August 1956 when the markets in this product were particularly firm and indicated higher rates; and

(b) whether the State Trading Corporation failed to cover itself for stocks against commitments?

The Minister of Commerce (Shri Kanungo): (a) The Corporation sold in August 1956 sizable quantities of different grades of manganese ore to foreign countries at prices varying from 55 dollars to 29 dollars per ton. The sale price was determined on the basis of price levels and trends in overseas markets, the variation from package to package depending on the grade of ore and period of delivery.

(b) The State Trading Corporation have followed the normal business practice in regard to covering itself with stocks against commitments.

Shri N. E. Munsamy: As on the date of entering into the contract for the supply of manganese ore to foreign markets, may I know the market rate prevailing?

Shri Kanungo: For which grade? There are different grades. It all depends. In August the price varied from 55 to 29 Dollars.

Shri N. E. Munsamy: The grade for which the contract was entered into.

**Shri Kanungo:** There are various grades.

**Shri N. E. Munisamy:** The rates can be given for all the grades.

**Mr. Deputy-Speaker:** It should not grow into a conversation. He may put his question.

**Shri N. E. Munisamy:** As on the date of entering into contract with the foreign countries for the supply of manganese ore, may I know the rates prevailing in India as compared to the rates at which the contracts were entered into with the other countries?

**Shri Kanungo:** I am very reluctant to give information about a particular contract, but about the price ranges of particular commodities I can give, and I have said that the price range was from 29 to 55 dollars.

**Shri Mahanty:** What was the price ruling in the Indian market so far as high grade manganese and low grade manganese were concerned, and at what prices were the contracts entered into?

**Shri Kanungo:** The ruling prices in the month of July ranged between Rs. 120 and Rs. 430.

**Shri N. E. Munisamy:** May I know the total loss incurred therein? He is unwilling.....

**Mr. Deputy-Speaker:** There is this complaint that the answer is not clear and audible. It may be answered more distinctly.

**Shri Kanungo:** There was no loss in the transaction on manganese ore on the whole.

**Shri Mahanty:** I wanted to know what was the price ruling in the Indian market so far as high grade manganese ore and low grade manganese ore were concerned, and for what prices the State Trading Corporation entered into the contract with the foreign firms?

**Shri Kanungo:** I have given the prices; they ranged between Rs. 430 to Rs. 120 per ton; and the prices during the period the contracts were entered into ranged between 55 and 29 dollars, working out at Rs. 4.53 per dollar.

**Shri Heda:** May I know how many times it happened that the State Trading Corporation sold their commodities in foreign countries and then tried to purchase the commodity in the Indian markets and they were not able to get it, and thus a bottleneck was created in deliveries?

**Shri Kanungo:** One part of the question is not correct, because we have covered ourselves for the supply. The difficulty was in moving the stocks to the ports.

**Shri N. E. Munisamy:** May I know whether the reluctance to give answers is due to the laxity of the administration or lack of business experience?

**Shri Kanungo:** I have given the answers, but I submit that I am not prepared to give answers relating to specific contracts.

**Shri T. N. Singh:** Is it true that in a majority of the categories that were sold under this series of transactions the ruling price in India left probably no margin, or even a loss on the contracts entered into for foreign exports?

**Shri Kanungo:** No, it did not leave a loss margin; it was a fairly good margin on the whole.

**Shrimati Renuka Ray:** May I know how many persons who had any business experience of handling this type of work are employed in this Corporation? Among those who go in for these contracts, how many have had any previous experience of handling such contracts?

**Mr. Deputy-Speaker:** Would it be possible for the hon. Minister to answer that?

**Shri Kanungo:** It will not be possible to answer it.

**Shri Bimal Ghose:** The hon. Minister stated that the Government suffered no loss in respect of any contract. Is it a fact that in their annual report recently submitted, the State Trading Corporation stated that in certain transactions losses were suffered?

**Shri Kanungo:** I said that on the whole in the manganese business there was no loss.

**Mr. Deputy-Speaker:** Next question.

**Shri Nath Pal:** We were standing for a long time, some of us.

**Mr. Deputy-Speaker:** Very sorry. I will be more careful in future.

#### Coalfield at Patherdite, Jharia

\*947. **Shrimati Renu Chakravarty:** Will the Minister of Labour and Employment be pleased to state:

(a) whether complaints against the method of appointing Officers and creche trainees in the Welfare Section of Coalfield at Patherdite, Jharia, have been received;

(b) whether there are a large number of unemployed trained creche nurses;

(c) if so, the number thereof; and

(d) the reasons thereof?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** (a) No.

(b) and (c). About 116.

(d) Mainly because the trained creche nurses desire to secure jobs nearer their homes which are not always available.

**Shrimati Renu Chakravarty:** May I know the method by which examinations are carried out in the matter of recruiting officers and other creche trainees in the welfare section up till now?

**Shri L. N. Mishra:** As a matter of fact, appointments are made by the management of the coal mines, and they get the candidates from the Employment Exchange and important women's organisations of the country.

**Shrimati Renu Chakravarty:** Is it a fact that there is the Coal Mines Welfare organisation, and may I know whether the appointment of the officers for this is not done by them?

**Shri L. N. Mishra:** So far as the nurses are concerned, the appointments are made by the management, and so far as the officers of the training institute are concerned, that is made by the Coal Mines Labour Welfare Fund Organisation.

**Shrimati Renu Chakravarty:** Has the Government received no complaint as to certain very gross irregularities which have taken place in the appointment of certain high officers?

**Shri L. N. Mishra:** We have received no such complaint so far.

**Shrimati Renu Chakravarty:** May I know all the nurses who have been unemployed now have been offered jobs and they have all refused because the place of appointment was far from their homes?

**Shri L. N. Mishra:** It is a fact that it is not possible to give them employment near their homes. They have to move to the mines. So far 242 have been employed and only 116 have been left out; even out of them some have been employed. Others have not been employed because they have chosen to remain unemployed.

**Shrimati Renu Chakravarty:** Is there any method by which the women from the local areas of the mines can be recruited for this training, and in doing so, is there any possibility of lowering the standards required for this training?

**Shri L. N. Mishra:** This is a suggestion. I shall try to forward the suggestion to the officers concerned.

### National Rayon Corporation

\*१६६. { Shri T. K. Chaudhuri:  
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Shri Shivananjappa:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Import-Export Bank of the U.S.A. has given credit to the National Rayon Corporation for expansion of the rayon plant in Bombay;

(b) if so, the total amount so given;

(c) the amount in Indian rupee to be saved every year in foreign exchange; and

(d) whether the Government of India have helped the negotiations carried on for a loan?

The Minister of Commerce (Shri Kanungo): (a) The Import-Export Bank is reported to have offered a credit of \$1,800,000 to the Corporation.

(b) Nil, so far.

(c) The terms of the offer are under scrutiny.

(d) The negotiations were conducted with the knowledge of the Government of India.

Shri T. K. Chaudhuri: May I know whether the Government have ascertained from the Export-Import Bank or from the private interests in this country as to what extent the Export-Import Bank is prepared to offer loans to the different branches of our private industry, and to what extent the Bank has been approached by the different sections of our industry for such loans?

The Minister of Industry (Shri Manubhai Shah): This Bank, in the nature of things, looks into every case on merits and several industrialists from India have contacted this Bank and this is the first offer which has been accepted by the Import-Export Bank.

Shri T. K. Chaudhuri: Is it within the knowledge of the Government

what particular industries and what particular firms have approached this Bank for loans?

Shri Manubhai Shah: All these contacts are made in the nature of personal contacts and they are not within the knowledge of the Government.

Shri Heda: May I know what would be the expansion achieved when this offer materialises?

Shri Manubhai Shah: Four million lbs. of rayon yarn tyre-cord per year.

Shri Gajendra Prasad Sinha: Just now the Minister said that many of the private firms have approached this Import-Export Bank and that they have refused. May I know what are the reasons for it?

Shri Manubhai Shah: Perhaps, the hon. Member did not hear me correctly. I have not said that they have refused. They have been contacted and when the proposal materialises, when it considers that it is profitable to make this arrangement, they give the loan.

### भूमि का लगान

\*६५२. श्री बजराम सिंह: क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार ने राज्य सरकारों को भूमि के लगान की व्यवस्था में सुधार करने के लिये कुछ सुझाव दिये हैं;

(ख) यदि हा, तो उनका स्वरूप क्या है ;

(ग) क्या किसी राज्य सरकार ने उन सुधारों पर अपनी राय दी है; और

(घ) यदि हा, तो क्या राय दी है ?

श्री बजराम सिंह: क्या योजना मंत्री के तथा सचिव (जी ल० ना० मिश्र) :  
(क) तथा (ख). भूमि सुधार कार्यक्रम को कार्यान्वित करने में ग्राम पंचायतों का

सहयोग लेने के लिये तथा राजस्व सम्बन्धी प्रश्नों और कर्मचारियों की संख्या बढ़ाने के लिये द्वितीय पंचवर्षीय योजना के नवें अध्याय में सुझाव दिये गये हैं।

(ग) तथा (घ) इन सुझावों को राज्य सरकारों के पास भेज दिया गया और वे इन पर विचार कर रही हैं।

श्री बजराल सिंह : क्या मैं जान सकता हूँ कि इन विचारों के कब तक सेन्ट्रल गवर्नमेंट के पास आ जाने की उम्मीद है ?

श्री ल० ना० मिश्र : बहुत राज्यों में जवाब आये भी हैं भिन्न भिन्न विषयों पर और बहुतों के जवाब का इन्तजार है। जिनके यहाँ से विचार आ गये हैं वे कार्यान्वित भी हो रहे हैं।

श्री बजराल सिंह : किन राज्यों में उत्तर नहीं आ पाये हैं ?

श्री ल० ना० मिश्र : भिन्न भिन्न विषयों पर जवाब आते हैं। अगर किसी खास विषय के बारे में माननीय सदस्य जानना चाहें तो मैं बता सकता हूँ। लेकिन जहाँ तक लैंड रेवेन्यू का सवाल है मैं माननीय सदस्य का ध्यान टेक्सेशन इन्क्वायरी कमीशन की तरफ दिलाना चाहता हूँ। स्टैंडर्डाइजेशन के विषय में और सर्वाज के विषय में आंध्र, मद्रास और आसाम में जवाब आये हैं। पंजाब से भी आये हैं। जहाँ तक आंध्र का सवाल है, उन्होंने तो लिखा है स्टैंडर्डाइजेशन किया जाये। आसाम ने कहा है कि उसके लिये वह सहमत नहीं है, वह कुछ मोडिफिकेशन चाहते हैं। पंजाब न सर्वाज की बात लिखी है।

Shri T. N. Singh: Has the Government of India taken upon itself the additional responsibility of advising or instructing on land revenue also?

Shri L. N. Mishra: The Planning Commission has only sent a communication to the various State Governments asking them what steps they are taking to implement the

recommendations of the Taxation Enquiry Commission in regard to land revenue.

Shri Mahanty: May I know whether the State Government of Orissa have suggested the abolition of land revenue from the State as stated by the Chief Minister of Orissa?

Shri L. N. Mishra: Not to my knowledge; I will require notice.

श्री बजराल सिंह : उत्तर प्रदेश की सरकार ने लैंड रेवेन्यू के घटाने के सम्बन्ध में क्या कोई विचार भेजे है ?

श्री ल० ना० मिश्र : उत्तर प्रदेश सरकार में खबर तो नहीं आई है इस सिलसिले में लेकिन मीनिंग के बारे में उनके यहाँ से खबर आई है, जिसके विषय में उनसे पूछा गया था।

#### Nilokheri Refugee Township

\*953. Shri Vajpayee: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total amount of loss incurred by Government on the refugee township of Nilokheri;

(b) the reasons for the loss; and

(c) whether it has been decided to sell the tenements at Nilokheri?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 110].

(c) Yes.

श्री बाजपेयी : जो वस्तुव्य सभा पटल पर रखा गया है, उससे ज्ञात होता है कि कुल मिला कर अभी तक मीसोकंडी में ४,१४,४६० रु० का नुकसान हुआ है, और वस्तुव्य में इस नुकसान के कारण पूरी तरह से नहीं बताये गये हैं। क्या मैं जान सकता हूँ कि सरकार सारे नुकसान का पता लगाने के लिये कोई जांच समिति नियुक्त करेगी ?



**श्री मेहर चन्द खन्ना :** जांच करने की कोई बात जरूरत बहुल नहीं होती । नीलोखेड़ी की जो कालोनी है, वह एक किस्म का तजुर्बा था कि शुरू में हम लोगों को किस तरह से रिहैबिलिटे करे और साथ ही साथ काम भी दिया जाये । जो तजुर्बा होता है उसमें नुकसान कुछ आवश्यक है ।

**श्री बाजपेयी :** बड़ा महंगा तजुर्बा था । क्या हम आशा करे कि अन्य किसी जगह इस तरह का तजुर्बा न हो, इसके लिये कोई जाच समिति बनाई जायेगी ?

**श्री मेहर चन्द खन्ना :** मेरे क्याल में परमात्मा की कृपा से अब रिफ्यूजी प्रॉब्लेम नहीं होती । और जितना तजुर्बा हो गया उससे ज्यादा नुकसान होने की उम्मीद नहीं है ।

**Shrimati Renu Chakravartty:** May I know what was the total amount spent on the setting up of industries in this Nilokheri township and how many refugees were able to earn for even a short period of time?

**Shri Mehr Chand Khanna:** The total expenditure on this township was a little over Rs 1 crore. Polytechnics cost us about Rs 25 lakhs, schools about Rs 3 lakhs, hospital, Rs 3 lakhs, general administration, about Rs 48,000, and the main township scheme cost us about Rs 77 lakhs.

**Shrimati Renu Chakravartty:** Only Rs. 25 lakhs for the polytechnics was the amount spent for setting up of industries. Is it?

**Shri Mehr Chand Khanna:** Industries, training, polytechnic and all these things were combined in the initial stages. But, if the hon. lady Member wants information on any specific point, and either gives notice or writes to me, I shall be glad to supply the information.

### Kollar Scheme

\*954. **Shri B. Narayanasamy:** Will the Minister of Planning be pleased to state:

(a) whether Government have received the Scheme pertaining to the utilisation of the waters of Kollar River from the Government of Madras for inclusion in the Second Five Year Plan; and

(b) if so, the decision taken thereon?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** (a) No, Sir.

(b) Does not arise.

**Shri B. Narayanasamy:** What are the conclusions of the conference of the State Ministers of Kerala and Madras concerning the utilisation of the waters of the rivers in Kerala?

**Shri L. N. Mishra:** To our knowledge no such conference has been held recently. May I know to which conference the hon. Member is referring?

**Shri B. Narayanasamy:** If it is not included I would request it may be included in the Third Five Year Plan.

**Mr. Deputy-Speaker:** The hon. Member may be a little louder.

**The Deputy Minister of Planning (Shri S. N. Mishra):** I would like to clarify a certain amount of confusion in this respect. Probably, the hon. Member means the river Kallar and not Kollar as it is given in the question. It was somewhat difficult for us to locate this river. So far as this river is concerned, in fact, the State Government of Madras had been contemplating to utilise the waters but the utilisation of waters of Kallar alone would not be an economic proposition. For this purpose they would require to utilise the waters of Periyar also which falls in the State of Kerala, for which it seems the permission of the State Government of Kerala has been lacking.



**Shri R. Ramanathan Chettiar:** What steps are Government taking for the utilisation of waters that fall waste in the Arabian Sea?

**Mr. Deputy-Speaker:** That is a great jump from one place to another.

**Shri C. R. Pattabhi Raman:** Will the Government of India evolve an all-India policy with regard to the rivers like Kallar and Periyar?

**Shri S. N. Mishra:** In fact, the Zonal Council has been seized of such problems and if there is some result out of their deliberations, it would certainly be helpful.

**Shri N. R. Munisamy:** May I know whether in the recent Zonal Council meeting the Chief Ministers of Madras and of Kerala have jointly proposed a certain scheme for utilisation of this particular river instead of allowing the waters to waste?

**Shri S. N. Mishra:** To my knowledge this scheme was not taken up specifically in the Zonal Council. But some similar schemes and similar problems were, of course, taken up; and, therefore, I replied to the previous supplementary question that if there is some result out of it that will be considered.

#### International Atomic Energy Agency

\*956. **Shri Kasliwal:** Will the Prime Minister be pleased to state whether after the creation of the International Atomic Energy Agency any countries have offered to deposit 'special fissionable material' with the Agency?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** Yes. The Union of Soviet Socialist Republics, the United Kingdom and the United States of America have agreed to place at the disposal of the Agency 50, 20 and 5,000 kilograms respectively of Uranium 235. In addition, the United States of America has offered to make available a further amount of nuclear material that will equal in quantity the total of all amounts of such materials made simi-

larly available by all other Members of the Agency up to July 1, 1960.

#### WRITTEN ANSWERS TO QUESTIONS

##### Non-Nationalisation of Industries

\*937. **Shri Nagi Reddy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government has decided on the question of non-nationalisation of industries during the coming five years; and

(b) if so, when the decision has been taken?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The Government's Industrial Policy is set out in the Industrial Policy Resolution of the 30th April 1956.

##### Indian Pepper

\*941. **Shri V. P. Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that continental consumers of Indian pepper do not require pepper of the high quality sent from India; and

(b) if so, the steps taken, if any, by Government to find out new markets of high quality Indian pepper?

**The Minister of Commerce (Shri Kanungo):** (a) and (b). Although there is a known preference for comparatively cheaper varieties the export of pepper to some of the continental countries has increased recently. The Export Promotion Council is endeavouring to promote exports and the State Trading Corporation are making efforts to introduce Indian pepper into new markets.

##### Export of Finished Iron and Steel Articles

\*949. **Pandit D. N. Tiwary:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been any increase in the export of finished iron

and steel articles since the liberalisation of allotment of Iron and Steel to the manufacturers; and

(b) if so, the countries to which the export has increased?

**The Minister of Commerce (Shri Kanungo):** (a) Presumably the Hon'ble Member has in mind the revised scheme introduced early in August, 1957 for the allotment of iron and steel to manufacturers of iron and steel articles for export. It is too early to assess the effect of the scheme. Some increase was, however, noticed in September, 1957.

(b) Kenya, Ceylon, Burma, Tung-nyika, Aden, Cyprus, Philippines, Malaya, Singapore, Kuwait, Mozambique, New Zealand and Indonesia.

#### Taxation

**\*951. Shri Surendranath Dwivedy:** Will the Minister of Planning be pleased to state:

(a) the total contribution made by the State and Union Government to their respective capital budgets out of their current revenues without extra taxation during the first two years of the Second Five Year Plan;

(b) the amount of their contribution by additional taxation; and

(c) how much short it falls of the anticipations of the Planning Commission in these respects?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). At the Centre, the revised estimates for 1956-57 place the surplus on revenue account at Rs. 38 crores. This is inclusive of the yield from additional taxation estimated at Rs. 55 crores. For the States, revised estimates for 1956-57 are not available because of the adjustments involved in consequence of the States' reorganization. On the basis of budget estimates, the States' deficits on revenue account added up to Rs. 77 crores. This was after taking credit for additional taxation of Rs. 6 crores. There was further taxation of about Rs. 5 crores in the States later in that year.

For 1957-58, according to the budget estimates, the Centre is estimated to have a surplus of Rs. 45 crores after taking credit for about Rs. 78 crores from additional taxation. In the States, the budget estimates indicate a deficit of Rs. 91 crores, of which only about Rs. 16 crores, it is now estimated, would be covered by fresh taxation.

(c) While precise figures cannot yet be worked out, the revenue resources raised so far do not come up to the level of plan expenditure on revenue account. The shortfall has occurred in the States.

#### Salt Production at Cambay (Bombay)

**\*955. Shri Yajnik:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware that a Joint Stock Company has been registered with a view to revive the manufacture of salt near the Sea beach at Cambay in Bombay State;

(b) whether any representations have been received by Government to expedite its decision for granting licences to operate the salt works which would give employment to a large number of salt workers;

(c) whether a final decision has been taken in the matter; and

(d) whether Government have directed the Bombay Government to grant all facilities to the said Company for operating salt works without further delay?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). No, Sir.

(c) and (d). Do not arise.

#### Export of Prawns

**\*957. Shri Warior:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity of Prawns exported from Kerala in 1956; and

(b) whether there has been any increase in the export this year?

**The Minister of Commerce (Shri Kanungo):** (a) and (b). Exact figures of exports of Prawns from Kerala are not available. Figures available of export of Prawns from ports included in the Customs Zone of Cochin show that 55,048 cwts. of Prawns were exported during the year 1956. The quantity exported during January-June, 1957, was 53,337 cwts., showing that exports of Prawns during the current year are taking place at a higher rate.

#### West Bokaro Colliery, Jharia

\*958. **Shri Tangamani:** Will the Minister of Labour and Employment be pleased to state:

(a) whether 2,000 workers of West Bokaro colliery, Jharia are on strike since the 13th November, 1957;

(b) if so, what are their demands; and

(c) the steps Government have taken to settle the dispute?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** (a) About 1,500 workers of West Bokaro Colliery are on strike since the 12th November 1957;

(b) The demands include reinstatement of certain discharged workers, confirmation, promotion, workload, extra allowance to workers affected by diesel oil and gas, provision of quarters and schools, free conveyance, bonus etc.

(c) The efforts of the Conciliation Officer to bring about a settlement between the parties did not materialise.

#### Shrines in India and Pakistan

\*959. { **Shri Radha Raman:**  
**Shri Hem Raj:**  
**Shri Padam Dev:**  
**Shri D. C. Sharma:**  
**Shri Daljit Singh:**

Will the Prime Minister be pleased to refer to the reply given to Starred

Question No. 23 on the 11th November, 1957 regarding shrines in India and Pakistan and state:

(a) whether any reply has been received from the Government of Pakistan; and

(b) if so, the nature thereof?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) Yes, Sir.

(b) The Government of Pakistan have put forward certain views which are now under consideration of the Government

#### N.E.S. and Community Projects in Marathwada

\*960. **Shri Pangarkar:** Will the Minister of Planning be pleased to state:

(a) whether any evaluation officer has been appointed to examine the progress of development works in National Extension Service Blocks and Community Projects in the Marathwada region of Bombay; and

(b) if so, whether he has submitted any report so far?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) No, Sir.

(b) Does not arise.

#### Handloom Cloth

\*961. **Kumari M. Vedakumari:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that large stock of handloom cloth worth Rupees 3 crores has accumulated in Andhra, and the Andhra Apex Weaver Co-operative Society has requested Government for a sum of Rupees 25 lakhs to purchase the accumulated stocks of handloom cloth;

(b) whether their request to allow a special rebate of 15 N.P. per Rupee on sale of handloom cloth for a period of six months will be considered; and

(c) whether any credit facilities will be given to these societies through State Banks or other Commercial Banks?

**The Minister of Commerce (Shri Kanungo):** (a) No, Sir.

(b) No such request has been received by Government of India.

(c) Yes, Sir. The Reserve Bank of India will give the necessary credit.

### Pashmina Wool

\*962. { Shri Hem Raj:  
Shri Padam Dev:

Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of pashmina wool in stock in the different States at present;

(b) the quantity that has been exported during the years 1956-57 and 1957-58 so far,

(c) the quantity imported into India during the year 1955, 1956 and 1957,

(d) whether any meeting of the States of Northern Zone was held at Chandigarh to consider the question of export of Pashmina wool and if so, the main decisions taken there; and

(e) the States which participated in the above meeting?

**The Minister of Commerce (Shri Kanungo):** (a) Panjab 1887-17-0 maunds.

Jammu & Kashmir 600-0-0 maunds.

Himachal Pradesh 400-0-0 maunds.

West Bengal 215-0-0 maunds.

(Figures are for pashmina wool in de-haired form. Out of a quantity of Mds. 1887-17-0 shown against Panjab a quantity of Mds. 1157-30-10½ has actually been verified so far).

(b) 115 maunds were exported during 1956. Actual export figures for 1957 are not available but during

January to September, 1957, about 1000 maunds were passed for shipment.

(c) Year. Quantity of raw pashmina imported

1955 maunds 3108

1956 maunds 4865

1957 maunds 4000\*

(January-November)

\*Estimated figure.

(d) and (e). A meeting was held at Chandigarh on 1-11-57 which was attended by the representatives of the Government of Jammu & Kashmir, Punjab, Himachal Pradesh and the Government of India. At this meeting it was decided that the stocks of Pashmina wool imported into the various States should be verified by the State Governments concerned and that 50 per cent. of the verified stocks should be allowed to be exported outside India.

### Government Salt Works at Bassein

\*962-A. { Shri Jadhav:  
Shri Naushir Bharucha:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that four Government Salt Works at Bassein namely, Bhatti, Shenkhai, Juna and Juna Vachak have been leased out to the Sarvodaya Adivasi Mith Utpadan Sahakari Sangh Limited, Gokhivra, District Thana (Bombay);

(b) whether it is also a fact that the Mithagar Kamgar Sahakari Sangh Limited, Juchandra, Bassein also applied for lease of these salt works;

(c) if so, the reasons for leasing out these salt works to Sarvodaya Adivasi Mith Utpadan Sahakari Sangh Limited in preference to Mithagar Kamgar Sahakari Sangh Limited, Juchandra (Bassein);

(d) whether it is a fact that the Mithagar Kamgar Sahakari Sangh has demanded to refer the issue for arbitration; and

(e) if so, the action proposed in the matter?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir.

(c) The first named Society deserved preference as it was devoted to the cause of uplift of the Adivasis in that area and had arranged adequate finances to run the Salt Works.

(d) Government have no information.

(e) Does not arise.

#### D.D.T. Factory Alwaye

\*963. Shri Vasudevan Nair: Will the Minister of Commerce and Industry be pleased to state:

(a) the time by which the construction of the D.D.T. factory at Alwaye will be completed;

(b) the time by which production will be started; and

(c) what will be the total number of persons that can be employed in this factory?

The Minister of Industry (Shri Manubhai Shah): (a) The erection of the plant and machinery has already been completed.

(b) Trials are being carried out and regular production will commence after the guarantee tests have been completed and sufficient quantity of liquid chlorine is available from an adjoining Chemical Works.

(c) About 230.

#### Displaced Persons at Purana Qila

\*964. { Shri S. M. Banerjee:  
Shri Tangamani:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 1121 on the 24th August 1967 and state the progress made in

shifting displaced persons residing in Purana Qila, Delhi?

The Minister of Rehabilitation and Minority Affairs (Shri Mohar Chand Khanna): There has not been much progress because the tenements in Lajpat Nagar allotted to the residents of Purana Qila are under unauthorised occupation and eviction proceedings against the unauthorised occupants are in progress. Twelve more families have, however, accepted allotment of cheap tenements in Lajpat Nagar. In addition, small plots in that colony have been allotted to 24 families.

#### Industrialisation of Rajasthan

\*965. Shri Karni Singhji: Will the Minister of Commerce and Industry be pleased to state the amount which has been invested on industries in the Public Sector in Rajasthan with particular reference to Bikaner Division during the first year of the Second Five Year Plan?

The Minister of Industry (Shri Manubhai Shah): No industry in the public sector has been started in the Bikaner division of Rajasthan.

#### Watch Manufacturing

\*966. Shri Damani: Will the Minister of Commerce and Industry be pleased to state:

(a) whether watch manufacturing is being undertaken by any Industrial Unit in India;

(b) if not, whether any loans or assistance has been granted to small enterprises to undertake watch manufacturing on small scale; and

(c) what impetus, if any, is being given to this type of industry?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). No, Sir.

(c) Government would arrange to give technical and financial loan assistance if any small industrialist came forward with specific proposals.

'१८५७' नामक पुस्तक

\*६६७. श्री जगदीश प्रसाद: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि '१८५७' नामक पुस्तक के प्रकाशन पर सरकार ने कितना धन खर्च किया है ?

सूचना और प्रसारण मंत्री (डा० केशकर): पुस्तक के अंग्रेजी में प्रकाशन पर लगभग ₹० ४४,४०० खर्च आये। हिन्दी संस्करण के प्रकाशन पर ₹० ७,००० खर्च हुये।

श्री गंगानगर में झरनाधी किसान

\*६६८. श्री ए० ला० बाबूपाल: क्या पुनर्वास तथा अल्पसंख्यक कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को ज्ञात है कि कुछ शरणार्थी किसान, जिन्हें १९४८ में श्री-गंगानगर जिले में जमीनें दी गयी थी, अब जमीनों से हटाये जा रहे हैं;

(ख) यदि हा, तो इसके क्या कारण हैं;

(ग) क्या पुनर्वास मंत्रालय ने उन किसानों को खेती के लिये कुछ तकादी ऋण दिये थे, और

(घ) यदि हा, तो जब किसान हटाये जायेंगे तब ऋण किस प्रकार वसूल किये जायेंगे ?

पुनर्वास तथा अल्पसंख्यक कार्य मंत्री (श्री मेहर बाबू लाल): (क) में (घ) राजस्वान सरकार में जानकारी एकत्रित की जा रही है और मिलने पर सभा की मेज पर रख दी जायेगी।

#### Export of Manganese Ore

\*९६९. Shri Heda: Will the Minister of Commerce and Industry be pleased to state:

(a) what is the target fixed for export of manganese ore by the Export Promotion Committee in 1957 and 1958;

(b) whether it is a fact that the export of manganese ore is declining; and

(c) if so, what measures Government are taking to increase the exports?

The Minister of Commerce (Shri Kanungo): (a) The Export Promotion Committee have stated that we should endeavour to export 1½ to 2 million tons per annum upto 1960-61.

(b) No, Sir. In fact actual exports have for the last two years been larger than in the preceding two years. Nevertheless, it is true that the demand for low grades of ores has for the time being dried up and Indian Manganese Ore has to face uphill competition from new sources of supplies.

(c) The State Trading Corporation are endeavouring to work out link arrangements for the sale of low grades of ores. The principal ship-owners and mineowners have also been united to confer with the Ministry on the measures necessary to stimulate the foreign demand for Indian Manganese Ores.

#### Trade with European Countries

\*९७०. Shri Raghunath Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that four members of the Indian Economic Mission to West Germany have been asked to visit other European countries for the purpose of exploring the possibilities of increasing Indian exports to them; and

(b) if so, whether they have since returned to India and submitted any report to Government?

The Minister of Commerce (Shri Kanungo): (a) and (b). Yes, Sir. But only two members sponsored by the State Trading Corporation could undertake the visit. They have since returned to India and submitted their reports.

## Metric Weights

\*971. Shri Bibhuti Mishra: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any assessment has been made with regard to the requirements of steel and pig iron for manufacturing Metric Weights; and

(b) if so, the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A provisional assessment has been made 21,000 tons of pig iron and an equal quantity of steel scrap will be required over a period of 3 to 4 years for the complete replacement of the present weights by Metric Weights.

## Film Industry

\*972 Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state:

(a) the annual requirement of raw film in India for various sectors of Film Industry; and

(b) the basis of the distribution of imported raw film to those sectors?

The Minister of Industry (Shri Manubhai Shah): (a) The quantity of raw film consumed at present is estimated to be 250 million running feet per annum.

(b) The distribution will be based on the recommendations of the Central Advisory Committee and three Regional Committees which have recently been set up

## जयपुर का आकाशवाणी केन्द्र

\*९७३. श्री बाजपेयी : क्या लूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि आकाशवाणी के जयपुर केन्द्र में प्रसारित किये जाने वाले कार्यक्रमों में सिन्धी भाषा के लिये कोई स्थान नहीं है, जब कि राजस्थान में सिन्धी भाषाभाषियों की संख्या लगभग ६ लाख है; और

(ख) यदि हाँ, तो इसके क्या कारण हैं ?

लूचना और प्रसारण मंत्री (डा० केशवकर) :

(क) तथा (ख) राजस्थान में सिन्धी बोलने वालों की जो संख्या माननीय सदस्य ने दी है, वह संभवतः अदेहात्मक और बड़ी बड़ी है। कुछ सिन्धी समितियों ने जयपुर से सिन्धी प्रोग्राम करने के बारे में प्रार्थना-पत्र दिये हैं। इस प्रश्न पर सोचा जा रहा है लेकिन यह ध्यान में रखना चाहिये कि हर एक रेडियो स्टेशन से विविध भाषाओं में कार्यक्रम करना कठिन होता है। अगर किसी एक भाषा के बोलने वाले एक इलाके में काफी संख्या में हों तो कार्यक्रम करना संभव होता है। इस बात की तहकीकात की जा रही है कि राजस्थान में सिन्धी बोलने वाले कितने हैं, कहा कहा हैं और प्रोग्राम के लिये आवश्यक मभाला किस हद तक मिल सकता है।

## Indian Tea Delegation

\*974. { Shri Hem Raj:  
Shri Padam Dev:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1841 on the 10th September, 1957 and state:

(a) whether the Green Tea Delegation has left for Afghanistan;

(b) if so, who are its members;

(c) the time for which it will remain there; and

(d) when it will submit its report?

The Minister of Commerce (Shri Karam Singh): (a) Yes, Sir. It has since returned.

(b) Shri U. K. Ghoshal, Sardar Gurprit Singh Mann, Lt. Col. E. W. Bell and Shri Labh Chand Mehra.

(c) About five days.



(d) It is expected that the Report will be submitted to Government before the end of this month.

### भारत साधु समाज

\*२७५. श्री जगत बर्ज़न : क्या योजना में यह बनाने का कृपा करेंगे कि :

(क) क्या यह सब है कि हाल ही में अहमदाबाद में सम्पूर्ण भारत के साधुओं का एक सम्मेलन भारत साधु समाज के तत्वावधान में हुआ था ;

(ख) क्या यह भी सब है कि वे उस सम्मेलन में सम्मिलित हुये और उन्होंने साधुओं में प्रपीन की कि वे देश के विकास कार्यों में सहयोग दें, और

(ग) यदि हा, तो उसके परिणाम-स्वरूप राष्ट्रीय विकास में सक्रिय सहयोग देने के लिये भारत साधु समाज ने क्या कार्यक्रम बनाया है ?

योजना उपसंजी (श्री झा० मं० लिख) :

(क) और (ख) जी हा ।

(ग) सम्मेलन में जो प्रस्ताव पास हुये थे उनकी प्रतिलिपियां मदन की मेज पर प्रस्तुत हैं । [पुस्तकालय में रखी गयी । देखिये संख्या एल० टी० ४३१/५७]

### Educated Unemployed in Bombay

\*२७६. श्री Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) the number of educated unemployed registered with the Employment Exchange in the Bombay State at present;

(b) whether there exists any Work and Orientation Centre to develop the spirit of self-help in the minds of educated unemployed; and

(c) if not, whether it is proposed to start some such centre in the near future?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):  
(a) 42,678 on 30th September, 1957.

(b) and (c). Yes; two work Orientation Centre, one each at Kalamassery in Kerala and Delhi have started functioning. A third Centre has been sanctioned in Kalyani, West Bengal. Opening of such Centres in other States will depend on the result of these pilot projects.

### Strike by Cycle-Rickshaw Pullers of Delhi

\*२७७. { Shri S. M. Banerjee:  
Shri Tangamani:

Will the Minister of Labour and Employment be pleased to state:

(a) whether the cycle-rickshaw pullers of Delhi staged a token strike on 23rd November, 1957 against the decision of the Delhi Municipal Committee to disallow cycle-rickshaws after the 30th June, 1958;

(b) if so, the number of such rickshaw pullers likely to face unemployment by this decision; and

(c) the steps taken to provide them with alternative jobs before the implementation of this decision?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):  
(a) Cycle-rickshaw pullers observed a strike on the 23rd November, 1957, but the Delhi Municipal Committee has not yet decided that cycle rickshaws will not be allowed to ply after the 30th June 1958.

(b) and (c). Do not arise.

### Substitute for Jute

\*२७८. श्री Baghunath Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a substitute for jute fibre from the plant hibiscus is a commercial proposition; and



(b) if so, how it is going to affect Indian jute market?

**The Minister of Commerce (Shri Kanungo):** (a) No, Sir.

(b) Does not arise.

#### Industrial Production

\*979. **Shri Heda:** Will the Minister of Commerce and Industry be pleased to state:

(a) the position of industrial production during the first-half of 1957;

(b) the industries where we are ahead of our targets; and

(c) the industries where we fall short of our expectations and by how much?

**The Minister of Industry (Shri Manubhai Shah):** (a) Statistics of Monthly Production are published in the booklet entitled 'Monthly Statistics of Production of Selected Industries of India'. Copies of the booklet are available in the Parliament Library.

(b) and (c). No such targets are set for half yearly or yearly production. However, as against the gross average of general index of industrial production of 145.3 for the first six months of 1956, the average index for the first six months of 1957 was 148.8.

#### Sugar Factories

\*979-A. **Shri Jadhav:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Sugar factories in India, State-wise showing those which are private-owned and those run by the co-operatives;

(b) in how many sugar factories alcohol is prepared from molasses;

(c) what other use is being made of the molasses; and

(d) what will be the total capacity of all the sugar factories if alcohol

is prepared from the molasses by them?

**The Minister of Commerce (Shri Kanungo):** (a) A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 111].

(b) 31.

(c) At present the main utilisation of molasses is for the production of alcohol including spirituous liquors. No other major industrial use of molasses has yet been started in this country though molasses is being utilised in small quantities for the preparation of tobacco for 'hooka' purposes mixing with foundry sands and for export. Molasses are, however, used in other countries for the manufacture of yeast, citric acid and Butyl alcohol.

(d) The Alcohol Committee, appointed by the Government of India, has estimated that approximately 1,024,100 tons per year of molasses are likely to be available after 1959 out of which approximately 911,500 tons will be available for production of alcohol. If fully utilised this quantity can result in a production of 45.46 million gallons of alcohol per year.

#### A I.N.E. Conference

\*980. { Shri Vajpayee;  
Shri Kumaran:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the attention of Government has been drawn to a resolution adopted by the All India Newspapers Editors' Conference in its annual session this year that Government's advertisement policy was discriminatory;

(b) whether Government have enquired into the validity of these allegations; and

(c) if so, the steps taken to meet them?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) to (c). Government has seen Press reports to this effect. Government do not agree with the resolution or its conclusions. A definite policy regarding advertisements has been laid down with a view to a fair distribution of advertisements for the largest possible publicity effect. Government is satisfied that the principles and their implementation is carried out justly. It is our accepted policy to give advertisements on the basis of circulation and standing of the paper. No discrimination is made on account of political opinions. Government is, however, definitely of the opinion that newspapers which follow a policy of consistent and continuous communal incitement should not be encouraged and, therefore, does not give advertisements to such papers. Government also feel that what is generally known as the 'yellow' Press, should not be encouraged by giving advertisements.

#### Accommodation for M.Ps.

- \*981. { Shri Hem Raj:  
Shri Padam Dev:  
Shri Keshava:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) the progress made in the construction of additional flats for the Members of Parliament in North Avenue;

(b) the steps taken to get the land from the Defence Department; and

(c) the time by which sufficient number of houses for housing the M.Ps. would become available?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). Efforts are being made to find alternative accommodation for shifting the Defence establishment unit from the North Avenue Area for constructing 24 flats for M.Ps. on the land so vacated. Certain sites have been suggested for the proposed shift. The matter is under

examination from the point of view of overall planning of Greater Delhi.

(c) Sufficient accommodation in bungalows, flats and hostels exists to house the Members.

#### All India Radio

**1376. Shri B. C. Mullick:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government are aware of the fact that some motor cars are lying idle under the administrative control of All India Radio in Delhi; and

(b) if so, the reasons thereof?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b) No, Sir. They are not idle but are out of commission. Two of the vehicles have been condemned, three are undergoing major repairs and the remaining two will be on the road shortly after replacement of tyres and tubes.

#### World Map

**1377. Shri N. R. Munisamy:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that U.N. Department of Information has brought out a world map for distribution among members in which Kashmir alone singled out as disputed territory whereas other disputed territories like West New Guinea and Anja are left out;

(b) if so, whether any protest has been lodged by the Government of India; and

(c) the reaction of U.N. Secretariat to such a protest?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) Yes, Sir. The map was published with the comment that "the final status of Jammu & Kashmir has not yet been determined". It also bore a general observation that "the boundaries shown on this map do not imply official endorsement or acceptance by the United Nations".

(b) Our Permanent Representative with the U.N. has protested to U.N. Secretariat in suitable terms.

(c) Some explanation has just been received and it is being examined.

### Employment Exchanges in Andhra Pradesh

1378. Shri M. V. Krishna Rao: Will the Minister of Labour and Employment be pleased to state:

(a) the number of persons registered with the Employment Exchanges in Andhra Pradesh during 1956-57 and 1957-58 (upto the 31st October, 1957); and

(b) the percentage of persons registered who have been provided with employment?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):

(a) 1956-57	1,16,237
1957-58	68,175
(b) 1956-57	12.2
1957-58	8.9

### धातुओं के तलछट का उद्योग

१३७६. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या धातुओं के तलछट उद्योग के विकास के लिये विशेषज्ञों में कोई बातें हुई हैं;

(ख) यदि हां तो उसका क्या परिणाम निकला है; और

(ग) उसके परिणामस्वरूप यदि कोई कार्यवाही की जा रही है तो वह क्या है ?

उद्योग मंत्री (श्री मनुभाई शाह):(क) जी नहीं ।

(ख) तथा (ग). प्रश्न नहीं उठते ।

### पाकिस्तान से पटसन का आयात

१३८०. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) पाकिस्तान द्वारा हुल्का धीर भन्दा पटसन लम्बे रेशे वाले पटसन में शामिल करने के निश्चय के कारण वहाँ से पटसन प्राप्त करने में क्या कठिनाईयाँ हो रही हैं तथा उस कारण कितना अतिरिक्त लम्बे हुम्मा है, और

(ख) इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

वाणिज्य उपमंत्री (श्री कानूनगो) :  
(क) कोई भी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

### मशीनी धोआर

१३८१ डा० राम सुभग सिंह क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि .

(क) विभिन्न प्रकार के मशीनी धोआरों की आवश्यकता सम्बन्धी घाकड़े एकत्रित करने के बारे में अब तक क्या प्रगति हुई है.

(ख) उन घाकड़ों को इकट्ठा करने के लिये क्या व्यवस्था की गयी है. और

(ग) क्या ये घाकड़े उत्प्रेरकों को भी सम्बन्ध किये जायेंगे ?

उद्योग मंत्री (श्री मनुभाई शाह) :  
(क) से (ग). देश में १९६०-६१ तक विभिन्न किस्म के मशीनी धोआरों की जा मांग होगी उसका जनवरी १९५६ में, सरकार द्वारा स्थापित, मशीनी धोआर समिति ने एक अनुमान तैयार किया है । इस समिति की रिपोर्ट सितम्बर, १९५६ में प्राप्त हुई थी और वह २७ मार्च १९५७ को सदन की मेज पर प्रस्तुत की जा चुकी है ।

वह प्रकाशित भी हो गयी है और जो लोग इसे लेना चाहें उनके लिये उपलब्ध है।

### राष्ट्रीय लघु उद्योग निगम

१३८२. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय लघु उद्योग निगम ने अब तक छोटे छोटे उद्योगपतियों को कितनी मशीनें बांटी हैं,

(ख) इन मशीनों का कुल मूल्य कितना है; और

(ग) अधिक से अधिक और कम से कम कितने मूल्य की मशीनें दी गयी हैं ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क) ३१-१-५७ तक ५०० मशीनें बांटी गयीं।

(ख) ८६,७३,३६० रु०।

(ग) अधिक से अधिक १,०२,००० रु० और कम से कम ८६ रु० की मशीनें दी गयीं।

### ऊनी कपड़ा उद्योग

१३८३. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) ऊनी कपड़ों के उद्योग के लिये पर्याप्त कच्चे माल का प्रबंध करने के लिये क्या कार्यवाही करने का विचार है,

(ख) अखड़ी किस्म की विदेशी ऊन का आयात करने के लिये क्या सुविधायें दी जा रही हैं, और

(ग) बालू बरं में अखड़ी किस्म की कितनी ऊन का आयात होने की संभावना है और देशी ऊन उद्योग के लिये इस प्रकार की कितनी ऊन की आवश्यकता होती है ?

उद्योग मंत्री (श्री मनुभाई शाह) :  
(क) कोई विशेष कदम उठाने का विचार नहीं है क्योंकि उद्योग को आवश्यक कच्चा माल मुहैया करने के लिये विदेशी मुद्रा की स्थिति देखते हुये प्रत्येक कोशिश की जाती है।

(ख) देश के अन्दर न मिलने वाली किमी भी प्रकार की ऊन बाहर से मंगाने के लिये आयात लाइसेंस बंध होते हैं।

(ग) लगभग १६ करोड़ पौ० ऊन आयात किये जाने की संभावना है। १९५६ की खपत के हिसाब से देखें तो उद्योग की आवश्यकतायें भी लगभग इतनी ही हैं।

### काच उद्योग

१३८४. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) काच उद्योग के सर्वेक्षण में क्या प्रगति हुई है, और

(ख) अब तक कितने काच के कारखानों का सर्वेक्षण किया जा चुका है ?

उद्योग मंत्री (श्री मनुभाई शाह) :  
(क) यह सर्वेक्षण मार्च, १९५७ में समाप्त हो गया है।

(ख) ६० कारखानों का।

### साइकिलें

१३८५. डा० राम सुभग सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) वर्ष १९५६ में देश में कितनी साइकिलें तैयार की गयीं; और

(ख) उनमें से देश में कितनी साइकिलें बेची गयीं और कितनी साइकिलों का निर्यात हुआ ?

**उद्योग मंत्री (श्री मनुभाई शाह) :**

(क) १९५६ में देश में ६,६१,५७२ साइकिलें तैयार की गयीं ।

(ख) १९५६ में निर्माताओं ने देश के बिजेताओं को ६,६६,५८३ साइकिलें भेजीं । उन्होंने देश में कितनी साइकिलें बेचीं और कितनी निर्यात की, इसके आकड़े उपलब्ध नहीं हैं । पहले साइकिलों का नाम मात्र का निर्यात होता था ।

**डलाई चूर्ण**

१३८६. श्रीमती गंगादेवी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) बिजली का बढ़िया किस्म के प्लास्टिक का सामान बनाने के लिये विदेश में कितने परिणाम में डलाई चूर्ण मगाया जा रहा है ;

(ख) क्या विदेश, चूरे के मुकाबले का खूब देश में तैयार करने के लिये भारतीय मानक संस्था द्वारा निर्धारित प्रतिमान के अनुसार चूरा भारत में तैयार होना आरम्भ हुआ है ; और

(ग) यदि नहीं तो इसके क्या कारण हैं ?

**बाणिज्य मंत्री (श्री कानूनगो) :**

(क) शायद माननीया सदस्या का मतलब फिनील-फार्मेन्डीहाइड डलाई चूर्ण में है : जो बिजली का सामान बनाने के काम आता है । जनवरी-जून १९५७ की अवधि में २२१४ हंडरबेट चूर्ण का आयात किया गया ।

(ख) तथा (ग). भारतीय फर्मों ने बढ़िया किस्म का डलाई चूर्ण बनाना शुरू कर दिया है जो १९५४ की ब्रिटिश प्रतिमान सं० ७७१ के अनुरूप होता है । भारतीय निर्माता अपने यहां आवश्यक मशीन लगा रहे हैं जिससे यह परीक्षण किया जा सके कि चूर्ण प्रतिमान के अनुरूप है या नहीं । भारतीय प्रतिमानशाला ने अभी इस चूर्ण का राष्ट्रीय प्रतिमान अंतिम से तैयार नहीं किया है ।

**बाट तथा मापो**

१३८७. श्री झूलन सिंह : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) पुराने बाटों तथा मापों को नये बाटों और मापों में बदलने के लिये सरकार का क्या कार्यवाही करने का विचार है ; और

(ख) क्या इसके लिये कोई शुल्क लेने का निश्चय किया गया है ?

**उद्योग मंत्री (श्री मनुभाई शाह) :**

(क) कोई कार्यवाही नहीं की गई है क्योंकि पुराने बाटों तथा मापों को नये बाटों तथा मापों में बदलना व्यावहारिक नहीं समझा गया है ।

(ख) प्रश्न ही नहीं उठता ।

**सिन्दरी उर्बरक कारखाना**

१३८८. श्री झूलन सिंह : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि अमोनियम सल्फेट, नाइट्रेट और यूरिया का उत्पादन बढ़ाने के लिये सिन्दरी उर्बरक कारखाने के विस्तार के बारे में क्या प्रगति हुई है ?

**उद्योग मंत्री (श्री मनुभाई शाह) :** सिन्दरी विस्तार योजना के लिये मेसर्स माष्टेकेटिनी द्वारा अतिरिक्त समय लगाने के बारे में काफी प्रगति हो चुकी है । मेसर्स कॉपी द्वारा सीन गैस प्लांट लगाया जा रहा है । सिन्दरी कम्पनी ने जिन कार्यों को विभागों द्वारा कराना शुरू किया था वे समाप्त हो गये हैं । आशा है ये संयन्त्र १९५८-५९ के मध्य में चालू हो जायेंगे ।

**नेपा पेपर मिल्स**

१३९०. श्री झूलन सिंह : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) नेपा पेपर मिल्स में जो मशीनें

सर्वाई गई हैं, उनका कितना प्रतिशत विदेशों से आयात किया गया है ; और

(ख) किन किन देशों से वह आयात किया गया है ?

उद्योग मंत्री (श्री मनुभाई साहू) :  
(क) पाइपों और फिटिंग्स को छोड़ कर लगभग पूरा संयंत्र और मशीनें विदेशों से आयात की गई हैं ।

(ख) ६० प्रतिशत उपकरण अमेरिका से आयात किये गये हैं । बिजली के कुछ उपकरण दो भारतीय फर्मों से लिये गये हैं जो कि पश्चिमी जर्मनी और ब्रिटेन के निर्माताओं के प्रतिनिधि हैं ।

#### कार्बन पेपर

१३६१. श्री झूलन सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय देश में कार्बन पेपर तैयार करने वाले कितने कारखाने हैं ।

(ख) उनकी उत्पादन क्षमता कितनी है ;

(ग) क्या भारत में तैयार किया गया कार्बन पेपर विदेशों को भी निर्यात किया जाता है ;

(घ) यदि हा, तो प्रतिवर्ष कुल कितने मूल्य का निर्यात होता है ; और

(ङ) यदि भाग 'ग' का उत्तर नकारात्मक हो, तो इसका निर्यात बढ़ाने के लिये सरकार का क्या कार्यवाही करने का विचार है ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) ७ ।

(ख) फुलस्केप साइज के सी सीटों वाले लगभग २० लाख बक्से ।

(ग) जी हाँ ।

(घ) १९५७ की पहली छमाही में ३१,००० रु० का निर्यात किया गया । इससे पहले की अवधि के आंकड़े उपलब्ध नहीं हैं ।

(ङ) कार्बन पेपर बनाने में काम आने-वाले प्रमुख आयातित कच्चे मालों पर लिया गया सीमा शुल्क लौटा दिया जाता है, जिससे इनका अधिक निर्यात करने को बढ़ावा मिले ।

#### सूत

१३६२. श्री झूलन सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५६-५७ के लिये स्वीकृत अम्बर चर्खा योजना के अन्तर्गत कितना सूत तैयार करने का विचार था ; और

(ख) वास्तव में कितना सूत तैयार किया गया ?

उद्योग मंत्री (श्री मनुभाई साहू) :  
(क) १९५६-५७ के लिये उत्पादन सब्सिडी सात लाख सूत रखा गया था ।

(ख) कुल ७,२२,५२२ पौंड सूत तैयार किया गया ।

#### रोजगार

१३६३. श्री राधा रमण : क्या अन्न और रोजगार मंत्री यह बताने की कृपा करेंगे कि दिसम्बर, १९५६ के बाद रोजगार दफ्तरो में ऐसे कितने प्रशिक्षित व्यक्ति पंजीकृत हुये जो प्रविधिक कर्मचारी, क्लर्क, शिक्षक अथवा प्रकुशल कर्मचारी के रूप में रोजगार चाहते थे ?

अन्न और रोजगार तथा योजना मंत्री के सहायक (श्री ल० ना० मिश्र) :  
दिसम्बर, १९५६ के बाद निम्नोक्त कार्यालय

में दर्ज प्राथियों का प्रतिपात प्राप्त नहीं है ।  
२१ अक्टूबर, १९५६ को दर्ज प्राथियों का प्रतिपात इस प्रकार है :—

	प्रतिपात
प्रबन्धिक कर्मचारी	८.२
क्लर्क	२६.८
शिक्षक	५.१
अकुशल कर्मचारी	४८.७

### प्रबन्ध में श्रमिकों का भाग लेना

१३६४. श्री बि० प्र० सिंह : क्या कम और रोजगार मंत्री यह बताने की कृपा करेंगे कि प्रबन्ध में श्रमिकों के भाग लेने सम्बन्धी अध्ययन मंडल की, जिसने इंग्लैंड और यूरोप का भ्रमण किया, रिपोर्ट पर क्या निर्णय किया गया है ?

कम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री ल० ना० मिश्र) : अध्ययन दल को रिपोर्ट पर पिछले भारतीय श्रम सम्मेलन ने विचार किया और यह निष्कर्ष की कि देश में योजना को धमल में लाने का काम दो साल तक नियोजकों की इच्छा पर छोड़ दिया जाय । सम्मेलन ने योजना पर आगे विचार करने के लिये एक उप-समिति बनाने का भी सुझाव दिया था । इस उप समिति की बैठक ६ अगस्त, १९५७ को हुई जिसमें यह सुझाव दिया गया कि सरकारी और गैर-सरकारी क्षेत्रों के लगभग ५० चुने हुये कारखानों इत्यादि पर इस योजना को परीक्षण के रूप में चलाया जाय ।

श्रमिकों के परिवारों के लिये चिकित्सा सम्बन्धी सुविधायें

१३६५. श्री बि० प्र० सिंह : क्या कम और रोजगार मंत्री यह बताने की कृपा करेंगे कि

(क) कायला खदान क्षेत्रों में जो अस्पताल मजदूरों की चिकित्सा के लिये खोले

गये हैं, उनमें क्या मजदूरों के परिवारों को भी चिकित्सा की सुविधायें दी जाती हैं ;

(ख) यदि हाँ, तो परिवार के किन-किन सदस्यों की चिकित्सा की अनुमति है ; और

(ग) क्या श्रमिकों को इलाज के लिये कुछ देना पड़ता है ?

कम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री ल० ना० मिश्र) :  
(क) जी हाँ ।

(ख) स्त्री, जायज बच्चे और वे सीतेले बच्चे जो पूर्ण रूप से कामगारों के साथ रहते हैं और उन पर आश्रित हो । काम करने वाली स्त्री का पति, जो उसके साथ रहता हो और पूर्ण रूप से उस पर आश्रित हो, भी चिकित्सा सुविधा पाने का हकदार है ।

(ग) ऐसे कामगारों के परिवार-सदस्य जिन्हें महीने में कुल मिला कर ३०० रुपये से ज्यादा बतन नहीं मिलता, इन्हीं पर इलाज मुफ्त पाने है । घाउटबो' इलाज सभी के लिये मुफ्त है ।

### कोयला खान श्रमिकों के लिये अस्पताल

१३६६. श्री बि० प्र० सिंह : क्या कम और रोजगार मंत्री यह बताने की कृपा करेंगे कि

(क) कोयला खान क्षेत्रों में जो अस्पताल मजदूरों की चिकित्सा के लिये खोले गये हैं क्या उनमें मजदूरों के अलावा अन्य व्यक्तियों का भी इलाज किया जाता है । और

(ख) यदि हाँ, तो किन-किन वर्गों पर ?

कम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री ल० ना० मिश्र) :  
(क) जी हाँ ।

(ख) कोयला खान अम कल्याण फंड संस्था के अस्पतालों और दवाखानों में ग्राम जनता डाक्टरों द्वारा इलाज मुफ्त जाती है। बिसेसों द्वारा परीक्षा कगने पर निर्धारित फीस ली जाती है। निश्चित फीस देने पर ग्राम लोगों को इन्डोर मरीजों के रूप में जनरल और स्पेशल बाडों में भी भरती किया जाता है बशर्ते कि पलंग खाली हों क्योंकि भरती करने में कोयला खानों और उनके धात्रियों का तरजीह दी जाती है।

### केन्द्रीय अस्पताल, हरिया

१३६७. श्री बि० प्र० सिंह : क्या अम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) हरिया कोयला खान क्षेत्र के केन्द्रीय अस्पताल में कितने डाक्टर और कितने अन्य कर्मचारी हैं ;

(ख) इस अस्पताल में और अधिक बिस्तरों की व्यवस्था करने के लिये नये भवन के निर्माण में क्या प्रगति हुई है ; और

(ग) इस भवन पर कुल कितना खर्च होगा ?

अम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री स० ना० मिश्र) :

(क) १७ डाक्टर, १ मैट्रन और २२३ अन्य टेक्निकल और १२-टेक्निकल कर्मचारी।

(ख) पलंगों की संख्या बढ़ाने के लिये कुछ और बाडों का निर्माण समाप्ति पर है।

(ग) लगभग ५ लाख पये।

रानीगंज कोयला क्षेत्र में केन्द्रीय अस्पताल

१३६८. श्री बि० प्र० सिंह : क्या अम और रोजगार मंत्री यह बताने की कृपा करेंगे कि रानीगंज कोयला खान क्षेत्र के अन्य केन्द्रीय अस्पताल में बिस्तरों की संख्या बढ़ाने की

योजना को कार्यान्वित करने में इस बीच क्या प्रगति हुई है ?

अम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री स० ना० मिश्र) : केन्द्रीय अस्पताल घासनसोल में पलंगों की संख्या बढ़ाने के लिये बिचार किया जा रहा है।

### चलचित्रों का प्रदर्शन

१३६९. श्री हेडा : क्या अम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) किन किन कोयला खान क्षेत्रों में चलचित्रों के प्रदर्शन की व्यवस्था की गई है ;

(ख) चलचित्रों के प्रदर्शन के लिये कितने भवन बनाये गये हैं ; और

(ग) चलचित्रों को प्राप्त करने के लिये कितना खर्च किया जाना है ?

अम और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री स० ना० मिश्र) : (क) हरिया, मुगमा, रानीगंज, रामगढ़-कर्णपुर, बोकारो, मध्य प्रदेश, खादा, हैदराबाद, सम्बलपुर, उड़ीसा, घासाम, कोरिया और विन्ध्य प्रदेश कोयला क्षेत्रों में फिल्में दिखाने का प्रबन्ध है।

(ख) चूकि फिल्में खुली हवा में दिखाई जाती हैं, इसलिये कोई इमारत नहीं बनाई गई है।

(ग) ३० रुपये में ४० रुपये तक प्रति शो।

### छात्रवृत्तियाँ

१४००. श्री हेडा : क्या अम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) कोयला खानों के बच्चों को छात्रवृत्ति के रूप में प्रतिवर्ष कितना धन दिया जा रहा है ;



(ख) १९५७-५८ में अब तक यह घन राशि किन किन क्षेत्रों में कितने लड़के लड़कियों को दी गई है ;

(ग) १९५६-५७ में इन छात्रवृत्तियों को पाने वाले लड़के लड़कियों ने आगे किन किन विषयों का अध्ययन किया , और

(घ) ये छात्रवृत्तियां पाने वाले छात्र छात्राओं में से किन-को ने ऐसे विषयों का अध्ययन किया जिससे उन्हें कोयला खानों के काम की अच्छी योग्यता प्राप्त हो सके ?

अब और रोजगार तथा योजना मंत्री के सहा-सचिव (जी ल० ना० मिश्र)

(क) अभी तक कार्ड रकम नहीं दी गई है । योजना जन्दी ही प्रमल में लाई जायेगी ।

(ख) छात्रवृत्तियां विभिन्न राज्यों के कोयला क्षेत्रों के लिये निम्नलिखित रूप से निर्धारित की गई हैं

राज्य	सामान्य शिक्षा सम्बन्धी छात्र-वृत्तियों की संख्या	टर्निकल शिक्षा सम्बन्धी छात्रवृत्तियों की संख्या
बिहार	२१	११
पश्चिमी बंगाल	८	३
मध्य प्रदेश	१०	४
बम्बई	१	—
उड़ीसा	०	१
आन्ध्र प्रदेश	२	१
आन्ध्र प्रदेश	५	२
राजस्थान	१	—

(ग) तथा (घ). प्रश्न नहीं उठने क्योंकि अभी तक कोई छात्रवृत्ति नहीं दी गई है ।

### अम्बर चर्खे

१४०१. श्री ए० ए० मिश्र : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) कताई बुनाई के पुराने तरीकों का इस्तेमाल करने वाले रुढ़िवादी जुलाहों ने अम्बर चर्खों को किस हद तक अपनाया है ;

(ख) साधारण चर्खों के स्थान पर अम्बर चर्खों को धराने में अब तक क्या प्रगति हुई है , और

(ग) कताई बुनाई का पेसा न करने वाले नये लोगों में अम्बर चर्खा कहा तक लोकप्रिय हो रहा है ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क) खादी तथा ग्रामोद्योग कमीशन ने अक्तूबर १९५७ में एक सर्वेक्षण किया था जिसके अनुसार अम्बर चर्खों से सूत कातने वाले ३३६१५ लोगों में से ११ प्रतिशत जुलाहे परिवारों के थे ।

(ख) प्रशिक्षण-शालाओं में भरत, हुए ६३,००० कातने वालों के बारे में खादी तथा ग्रामोद्योग कमीशन को जो सूचनाएँ प्राप्त हुई हैं, उनमें पता चलता है कि इन कातने वालों में से २४,००० या लगभग ३८ प्रतिशत व्यक्ति पहले साधारण (किसान) चरखा प्रयोग करते थे ।

(ग) खादी तथा ग्रामोद्योग कमीशन के हाल में जो सर्वेक्षण किया था उसके अनुसार अम्बर चर्खों से सूत कातने वाले ३२,६०९ व्यक्तियों में से २१,१७० या लगभग ६४ प्रतिशत पहले कताई का पेसा न करने वाले नये व्यक्ति थे ।

### भारतीय उत्पादकता प्रतिनिधिमण्डल

१४०२. श्री रा० रा० मिश्र : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्पादकता बढ़ाने के तरीकों के विभिन्न पहलुओं का अध्ययन करने के लिये जो भारतीय उत्पादकता मिष्टमंडल जापान भेजा गया था उस पर कितना खर्च हुआ ; और

(ख) किन किन व्यक्तियों ने अध्ययन निकाय ने इस खर्च का भार उठाया ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) लगभग ५६,००० रु० ।

(ख) खर्च का बड़ा भाग जापान सरकार ने कोलम्बो योजना के अधीन उठाया और एक भाग भारत सरकार ने ।

### सीमेंट के कारखाने

१४०३. श्री रा० रा० मिश्र : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) सीमेंट के उत्पादन के लिये गत वर्ष जिन ६० नई योजनाओं को स्वीकृत किया गया था, उन्हें भ्रमल में लाने के लिये क्या कार्यवाही की गई है ; और

(ख) इन योजनाओं के अन्तर्गत सीमेंट के नये कारखाने कहा कहा स्थापित किये जायेंगे ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) १९५६ के अन्त तक जिन ६० योजनाओं के लिये लाइसेंस दिये गये थे उन में से ६,३१,००० टन वार्षिक क्षमता वाली ६ योजनाओं का उत्पादन होने लगा है या शीघ्र ही होने लगेगा । १५,४२,००० टन वार्षिक क्षमता वाली १२ अन्य योजनाओं की मशीनों और उपकरणों के आवात के लिये लाइसेंस दिये जा चुके हैं और उनका उत्पादन भी

१९५८ या १९५९ में होने लगने की आशा है । वस मामलों में लाइसेंस या तो रद्द कर दिये गये हैं या किये जा रहे हैं क्योंकि उन्हें लेने वालों ने भ्रमल में लाने के लिये कोई कारगर कदम नहीं उठाये थे । शेष ३२ मामलों में लाइसेंस लेने वालों को मशीनों का आयात करने के लिये विन्यमित भुगतान की स्वीकृत होने योग्य शर्तें तय करा लेने की राय दी गई है ।

(ख) सदन की मेज पर एक विवरण रखा जाता है । [देखिये परिशिष्ट ३, अनु-बन्ध संख्या ११२]

### बैटरियां

१४०४. श्री रा० रा० मिश्र : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) विशेष प्रकार की बैटरियों के बनाने के सम्बन्ध में अब तक क्या किया गया है ;

(ख) क्या इस सम्बन्ध में कोई उप-समिति नियुक्त की गई है ;

(ग) यदि हां, तो उस समिति के सदस्यों के नाम क्या हैं ; और

(घ) उस समिति ने इस दिशा में अब तक क्या कदम उठाये हैं ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) जहां तक सन्नह बैटरियों का सम्बन्ध है, मोटरों में काम आने वाली बैटरियों के अलावा नीचे लिखी विशेष किस्मों की बैटरियां देश में तैयार की जा रही हैं :—

(१) हैवी इयूटी बैटरियां ।

(२) रेल में रोकनी करने के काम आने वाली बैटरियां ।

(३) प्रतिरक्षा सम्बन्धी कुछ प्रकार की बैटरियां जैसे इन्वर्स्यू० टी० बैटरियां, एयरक्राफ्ट बैटरियां आदि ।

### (४) स्टेशनरी बैटरियां ।

संग्रह बैटरियां तैयार करने वाले कुछ मौजूदा निर्माताओं को रेल में रोशनी करने के काम धाने वाली बैटरियां स्टेशनरी बैटरियां और इन बैटरियों के विशेष पुर्जें बनाने के लिये उद्योग अधिनियम के अधीन लाइसेंस दिये गये हैं ।

सूची बैटरियों के क्षेत्र में, फ्लैश लाइट के काम में धाने वाली बैटरियां के घालावा नीचे लिखे विशेष किस्मों की बैटरियां वर्तमान निर्माता तैयार करते हैं :—

(१) रेडियो पैक बैटरियां जिनमें लेयर बिस्ट बैटरियां भी शामिल हैं ।

(२) सार्वजनिक रूप से प्रयोग होने वाले रेडियो सेटों के लिये रेडियो पैक बैटरियां ।

(३) सेना के काम धाने वाली हाई-टैन्शन/लोटेन्शन बैटरियां ।

(४) कुछ किस्म की श्रवण-सहायक-उपकरण बैटरियां ।

(५) डाक-तार तथा रेलों के लिये सूखी बैटरियां ।

(ख) सरकार ने ऐसी कोई उपमिति नियुक्त नहीं की है जिसका काम यह सलाह देना है कि विशेष प्रकार की बैटरियों के उत्पादन के लिए क्या कदम उठाने जायें ।

(ग) तथा (घ) प्रश्न नहीं उठते ।

### प्रशिक्षण की सुविधाएँ

१४०५. पंडित। कृ० चं० शर्मा : क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) विभिन्न राज्यों में प्रशिक्षण सम्बन्धी सुविधाओं के बारे में जो जानकारी एकत्र की जाती है वह किन सूत्रों से प्राप्त की जाती है; और

(ख) इस विषय पर अब तक कितनी पुस्तकें और किन माध्यमों में प्रकाशित की जा चुकी हैं

श्रम और रोजगार तथा बीजना मंत्री के सभा-सचिव (जी न० ना० मिश्र) :

(क) राज्यों की प्रशिक्षण संस्थाओं से यह जानकारी प्राप्त की जाती है । नियोजन अधिकारी मिश्रित फार्म पर अपने इलाके की प्रशिक्षण संस्थाओं से जानकारी प्राप्त करते हैं ।

(ख) प्रशिक्षण सुविधाओं की जानकारी देने वाली पुस्तक का प्रायोगिक संस्करण १९५५ में प्रकाशित हुआ था जिसमें संस्थाओं और कारखानों में काम सीखने की जानकारी दी गई है । अभी हाल ही में दूसरा संस्करण १६ भागों में (प्रत्येक राज्य के लिये एक) प्रकाशित हुआ है । इसके अलावा एक प्रथम भारतीय संस्करण भी प्रकाशित हुआ है । ये दोनों संस्करण अंग्रेजी में हैं ।

### कोयला क्षेत्रों में संतति निग्रह

१४०६. पंडित। कृ० चं० शर्मा : क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि

(क) कोयला क्षेत्रों में संतति निग्रह को लोकप्रिय बनाने के लिये क्या किया गया है ;

(ख) क्या संतति निग्रह के माधन मुक्त बाटे जाते हैं ;

(ग) यदि हा, तो कौन-कौन सी चीजें बाटी जाती हैं ;

(घ) क्या ये चीजें पुरुषों को दी जाती हैं अथवा स्त्रियों को या दोनों को ;

(ङ) जिन घोरतों और घादमियों को ये चीजें दी गयी थीं, उनमें से कितनी अब तक इनका इस्तेमाल किया है ;

(च) स्त्रियों में संतति निग्रह का प्रचार करने के लिये कितनी महिला प्रचारिकाएँ कार्य करती हैं; और

(ख) इन कार्यकर्ताओं की योग्यतायें क्या हैं ?

श्रीम श्रीर रोजगार तथा योजना मंत्री  
श्री सभा-सचिव (श्री ल० ना० मिश्र) :

(क) कोयला खान श्रम कल्याण फंड संस्था के दो केन्द्रीय और चार प्रादेशिक अस्पतालों में परिवार सलाह केन्द्र शुरू किये गये हैं। भरिया खान स्वास्थ्य बोर्ड और भ्रमनसोल खान स्वास्थ्य बोर्ड भी अपने प्रसूति और बच्चा कल्याण केन्द्रों में इस सम्बन्ध में प्रचार कार्य करते हैं।

(ख) जी हा, कोयला खान श्रम कल्याण फंड संस्था की चिकित्सा संस्थाओं में।

(ग) डाइफाम और जेल्ली।

(घ) सिर्फ औरतो को।

(ङ) ३० मितम्बर, १९५७ तक १४१ स्त्रियों ने।

(च) स्त्री कल्याण विभागों और केन्द्रों में काम करने वाली स्त्रियाँ परिवार आयोजन सम्बन्धी प्रचार कार्य करती हैं। घाठ महिला डाक्टर जो चिकित्सा संस्थाओं में काम करती हैं स्त्री रोगियों को परिवार आयोजन सलाह देती हैं। परिवार सलाहकार श्रीगनाइजर की एक जगह भी मंजूर की जा चुकी है।

(छ) स्त्री कल्याण केन्द्रों के स्त्री कर्मचारियों को केन्द्रीय अस्पताल धनबाद की सीनियर महिला डाक्टर द्वारा जरूरी ट्रेनिंग दी गई है। चिकित्सा संस्थाओं में काम करने वाली सब डाक्टर मेडिकल सेजुएट हैं और इस विषय से पूर्ण परिचित हैं।

**अस्पतालों का सुचारु**

१४०७. पंडित कु० चं० शर्मा : क्या श्रीर रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) कोयला खान मालिकों के अस्पतालों का सुचारु करने के लिये १९५६-५७ में

और १९५७-५८ में अब तक कितनी वित्तीय सहायता दी गई है ;

(ख) यह सहायता किन किन खान मालिकों को दी गई है ;

(ग) इस अनुदान से कितने अस्पताल के भवन बनाये जायेंगे अथवा बढ़ाये जायेंगे और उन पर कितना खर्च होगा ; और

(घ) इसके परिणामस्वरूप किन अस्पतालों में कितने और श्रमिकों को इलाज की सुविधायें प्राप्त हो जायेंगी ?

श्रीम श्रीर रोजगार तथा योजना मंत्री  
श्री सभा-सचिव (श्री ल० ना० मिश्र) :  
(क) दवाखाने बनाने और उनके सुधार के लिये कोयला खान मालिकों को कोयला श्रम कल्याण फंड से सहायता देने की एक योजना जनवरी १९५७ में मंजूर की गई थी। अभी तक कोई अदायगी नहीं की गई है।

(ख) प्रश्न नहीं उठता।

(ग) हमारतो की संख्या जिनके लिये कि सहायता दी जायगी, निश्चित नहीं है। इस योजना के अधीन आर्थिक सहायता लेने के लिये अब तक दो प्रार्थना पत्र प्राप्त हुये हैं।

(घ) प्रश्न नहीं उठता।

**कोयला खान क्षेत्रों में मलेरिया**

१४०८. पंडित कु० चं० शर्मा : क्या श्रीर रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) भरिया, हजारीबाग, रानीगंज सम्बलपुर, पेंचघाटी, खांदा, कोरिया और सिंगरेनी की खानों में मलेरिया की रोकथाम के लिये क्या उपाय किये गये हैं ;

(ख) वर्ष १९५६ में इन क्षेत्रों में मलेरिया से कितने कामगर पीड़ित हुए हैं ;

(ग) मलेरिया रोग से घबड़े हो जाने के बाद रोगियों की हिकाजत के लिये क्या किया गया है ; और

(घ) १९५६ में मलेरिया से कुल कितने अधिक मरे ?

अस और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री ल० ना० मिश्र) :

(क) हर साल जुलाई से नवम्बर तक, जबकि कीटाणु फैलने का मौसम होता है कीटाणु नाशक दवा छिड़की जाती है। आम तौर से हर साल में तीन बार छ छ हफ्ते बाद दवा छिड़की जाती है। जब मलेरिया फैलने का मौसम नहीं होता या कुछ कोयला क्षेत्रों में सीमित हद तक आम तौर से मलेरियाल तेल छिड़क कर मलेरिया निरोधक कार्रवाई की जाती है।

(ख) लगभग २४००० जिनमें अधिको के आश्रित भी शामिल हैं।

(ग) मलेरिया के मरीजों की देखभाल करने की पहली जिम्मेदारी कायला खान मालिकों की है लेकिन कायला खान अधिक कल्याण फंड संस्था के मलेरिया निरोधक कर्मचारी मलेरिया के प्रमाणित मरीजों की देखभाल करते हैं और जब तक जरूरी होता है उन्हें पैमोडिन देते हैं।

(घ) प्राप्त सूचना के अनुसार १९।

कोयला खान क्षेत्रों में फाइलेरिया की बीमारी

१४०९. पंडित कु० च० शर्मा : क्या अस और रोजगार मंत्री यह बताने की कृपा करेंगे कि .

(क) कोयला खान क्षेत्रों में फाइलेरिया की बीमारी को रोकने के लिये और सर्वोक्षण करने के लिये कितने व्यक्ति नियुक्त किये गये हैं ,

(ख) इन व्यक्तियों की योग्यता क्या है ;

(ग) इस बीमारी के अनुसन्धान के सम्बन्ध में अब तक क्या प्रगति हुई है और उसमें कहा तक सफलता हुई है; और

(घ) १९५६-५७ में इस बीमारी से कितने अधिक पीड़ित हुए ?

अस और रोजगार तथा योजना मंत्री के सभा-सचिव (श्री ल० ना० मिश्र) :

(क) कोई नहीं।

(ख) प्रश्न नहीं उठता।

(ग) सरकार ने कायला क्षेत्रों में फिलेरिया सर्वे करने के लिये एक योजना मजूर की है और आवश्यक कर्मचारियों को नियुक्त करने के लिये कार्रवाई की जा रही है।

(घ) सूचना प्राप्त नहीं है।

अधिकों को शिक्षा सम्बन्धी सुविधाएँ

१४१०. पंडित कु० च० शर्मा : क्या अस और रोजगार मंत्री यह बताने की कृपा करेंगे कि

(क) कोयला खानों के क्षेत्र में कामगारों और उनके परिवारों की शिक्षा एवं मनोरंजन के लिये अब तक कितनी संस्थाएँ स्थापित की गई हैं,

(ख) इनमें से कितनी संस्थाओं में नहाने के लिये फव्वार और बाग लगाय गये हैं ,

(ग) इनमें से कितनी संस्थाओं में प्रौढ़ शिक्षा केन्द्र कायम हो चुके हैं और उनमें कितने प्रौढ़ व्यक्ति शिक्षा प्राप्त कर रहे हैं ,

(घ) इन संस्थाओं में जो महिला कल्याण केन्द्र चल रहे हैं, उनमें महिलाओं के कल्याण के लिये क्या सुविधा दी गई है ; और

(ङ) इन केन्द्रों से कितनी महिलाएँ लाभ उठाती हैं ?

अन्य और रोजगार तथा बीजना मंत्री के सहायक (बी न० ना० मित्र) :  
(क) शिक्षा और मनोरंजन सुविधाओं की व्यवस्था करने के लिये अब तक ४५ बहु-उद्देशीय संस्थाएँ बनाई गई हैं। इसके प्रस्ताव ८ बालिंग शिक्षा केन्द्रों का भी प्रबन्ध किया गया है।

(ख) इन सभी ४५ बहु-उद्देशीय संस्थाओं में बागवानी सम्बन्धी सुविधाओं का भी प्रबन्ध किया गया है।

(ग) सभी ४५ संस्थाओं और ८ बालिंग शिक्षा केन्द्रों में शिक्षा सुविधायें दी जाती हैं। इन जगहों में १२३४ बालिंग शिक्षा पा रहे हैं।

(घ) दस्तकारी शिक्षा सम्बन्धी सुविधाओं, जैसे कि बुनाई, मिलाई, कशीदा काटना, गुई का काम, मिट्टी के खिलौने बनाना आदि की व्यवस्था की गई है। केन्द्रों के कर्मचारी, कामगारों के धावड़ों में भी जाते हैं और वहाँ स्त्रियों को परिवार आयोजन, सफाई, कमलचर्ची आदि सम्बन्धी बातें बताते हैं। बहु-उद्देशीय संस्थाओं में स्त्रियों के फायदे के लिये बालिंग कक्षाएँ भी लगाई जाती हैं। केन्द्रों में खेल-कूद का प्रबन्ध किया जाता है और राष्ट्रीय दिवस भी मनाया जाता है।

(ङ) लगभग ३७०।

उद्योग (विकास तथा विनियमन) अधिनियम

१४११. श्री बाल्मीकी : क्या बाजिबन्ध तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) उद्योग (विकास तथा विनियमन) अधिनियम, १९५१ की धारा १८-क के अन्तर्गत किन कारखानों की व्यवस्था के लिये अब तक सरकार ने कंट्रोलर नियुक्त किये हैं ;

(ख) इन कंट्रोलरों की धर्मस्थानें क्या हैं; और

(ग) इन कंट्रोलरों ने अब तक क्या कार्य किया है ?

उद्योग मंत्री (श्री मनुभाई शाह)

(क) सिर्फ़ चीनी उद्योग के लिये।

(ख) इन पदों के लिये कोई विशिष्ट योग्यताएँ निर्धारित नहीं की गई हैं। साधारण तौर पर उन लोगों को कंट्रोलर नियुक्त किया जाता है, जिन का उस संस्थान में कोई हित होता है या उन सरकारी अफसरों को नियुक्त किया जाता है जिन्हें सम्बद्ध उद्योग का पूरा ज्ञान होता है।

(ग) सरकारी कंट्रोलरों के काम क्या क्या होते हैं, यह उद्योग (विकास और विनियमन) अधिनियम की धारा १८-क में वर्णित है। इन नियुक्तियों का मुख्य उद्देश्य यह होता है कि उत्पादन की कमी तथा ग़लत उत्पादकों और मजदूरों को होने वाली कठिनाइयाँ यथासंभव बचाई जा सकें। उक्त अधिनियम के अधीन जिन चीनी मिलों की व्यवस्था की जा रही है, उनकी स्थिति सभा पटल पर रख दी गयी है। [बेसिये रीरिजिस्ट्रि ३, अनुबन्ध संख्या ११३]

ऊनी कम्बल

१४१२. श्री बाल्मीकी : क्या बाजिबन्ध तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) ऊनी मिलों में प्रतिवर्ष कितने कम्बल तैयार होते हैं ; और

(ख) इन कम्बलों को हथकरघों द्वारा तैयार कराने के लिये क्या कोई योजना बनाई गई है ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क)	१९५४	२०.५ लाख गज
	१९५५	२२.७ लाख गज
	१९५६	४१.६ लाख गज

(ब) जहाँ तक केन्द्रीय सरकार का सम्बन्ध है, ऐसी कोई योजना नहीं है। कम्बलों के उत्पादन तथा उनकी डिजाइन, स्थापन आदि में सुधार करने की कुछ योजनायें राज्य सरकारों ने पेश की थीं जिन पर भारत सरकार ने मंजूरी दे दी है।

### हस्पात की चीजें

१४१३. श्री बास्नीकी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि हस्पात की ठली हुई चीजें बनाने के लिये जो नये लाइसेंस दिये गये हैं, उसके परिणाम-स्वरूप उस कार्य में कितनी प्रगति हुई है ?

उद्योग मंत्री (श्री मनुभाई साहू) : इस बारे में सन्तोषजनक प्रगति हुई है।

### फिनायल फारमेल्डीहाइड पाउडर

१४१४. श्री बास्नीकी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५६ में फिनायल फारमेल्डीहाइड पाउडर बनाने वाले कितने कारखाने बन्द हो गये;

(ख) इनके बन्द होने के कारण क्या घे; और

(ग) सरकार ने इन कारखानों को पुनः बनाने के लिये क्या किया है ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) से (ग) : जहाँ तक भारत सरकार को पता है, फिनायल फारमेल्डीहाइड पाउडर बनाने का १९५६ में बंद होने वाला एक मात्र कारखाना है सौराष्ट्र के सीहोर स्थान का भारत इलेक्ट्रोकेम मैनुफैक्चरिंग कं०। यह कारखाना मुख्य रूप से बिजली की बायप्रोडक्ट का साधन बनाता था और इसमें कुछ परिमाण में फीनील फारमेल्डीहाइड पाउडर भी बनता था। लेकिन इस कम्पनी ने कुप्रबंध,

ऑल्टिपक बेल्जियम की कच्ची तथा बिल्लीय कठिनाइयाँ होने के कारण उत्पादन बंद कर दिया। इस फर्म का प्रबन्ध सौराष्ट्र फाइनांस कारपोरेशन ने (जो कि बंबई राज्य फाइनांस कारपोरेशन में बिलीन हो चुका है) अपने हाथ में ले लिया था। इस फर्म को कारपोरेशन ने ५.५ लाख ६० कर्ज दिया हुआ था। कारपोरेशन ने उत्पादन फिर से शुरू करने की कोशिश की लेकिन स्थान सम्बन्धी प्रमुखता और विदेशी ऑल्टिपक निरीक्षण के प्रभाव के कारण, इसका उत्पादन ६ महीने बाद फिर बंद कर देना पड़ा।

बंबई राज्य फाइनांस कारपोरेशन अब उन उपायों पर विचार कर रहा है जिससे इस फर्म को दिया गया कर्ज वसूल किया जा सके और अगर मुमकिन हो तो उत्पादन शुरू किया जा सके।

### साइकिलें

१४१५. श्री रा० ल० तिवारी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विदेशों में भारतीय साइकिलों के बारे में कोई शिकायतें आई हैं, और

(ख) यदि हा, तो उन्हें दूर करने के लिये क्या कार्यवाही की गई है ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) विदेशों में भारतीय साइकिलों की किस्म के बारे में कोई शिकायत नहीं आयी है।

(ख) प्रश्न हो नहीं उठता।

### प्राविधिक विशेषज्ञ

१४१६. श्री रा० ल० तिवारी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि संयुक्त राष्ट्र प्राविधिक सहायता प्रसादन कार्यक्रम के अन्तर्गत कितने विशेषज्ञ मारे गये हैं ?

उद्योग मंत्री (श्री मनुभाई साहू) : संयुक्त राष्ट्र प्राविधिक सहायता प्रसादन

कार्यक्रम के अन्तर्गत १९५८ में औद्योगिक विकास तथा उत्पादकता के लिए १५ विशेषज्ञ भेजे गये हैं।

### गंधक का उत्पादन

१४१७. श्री रा० स० तिवारी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में गंधक का उत्पादन करने के लिये क्या उपाय किये जा रहे हैं;

(ख) उत्पादन के ये प्रयत्न किन-किन राज्यों में हो रहे हैं;

(ग) चेम्बर संयंत्र वाले गंधक के जो कारखाने बन्द हो गये हैं, क्या उनके फिर से चालू होने की कोई आशा है;

(घ) काटेक्ट संयंत्र वाले कारखानों के विस्तार के लिये क्या कोई योजनायें बनाई गई हैं; और

(ङ) यदि हा, तो सरकार ने उनको किस प्रकार की सहायता दी है ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क) देश में ही मिलने वाले कच्चे मालों से गंधक तैयार करने की संभावनाएं निम्नानुसार खोजी जा रही हैं :—

(१) पाइराइट से गंधक : यह प्रस्ताव राष्ट्रीय औद्योगिक विकास निगम प्रायव्हेट लि० के विचारधीन है। इस पर अभी धमल किया जा सकता है जब देश में पाइराइट के काफी भांडार मिलना निश्चित हो जाये। बिहार के भ्रमजोर स्थान में पाइराइट की खानों की खोज हो रही है।

(२) जिप्सम से गंधक : छटिया किस्म की भारतीय जिप्सम से लाभप्रद आधार पर गंधक तैयार किया जा सकता है या नहीं, इसकी जांच-पड़ताल की जा रही है

(३) गंधक जल स्रोत से गंधक : नमक जलशोध (साल्ट ब्रिन्) से मिलने वाले कैल्शियम सल्फेट और मैग्नीशियम क्लोराइड का प्रयोग करके हाइड्रोजन सल्फाइड और भ्रमजोर गंधक बनाने के प्रायोगिक परीक्षण चल रहे हैं।

(ख) ऊपर बताई गई योजनाएं अभी जांच-पड़ताल की स्थिति में ही हैं। अगर यह जांच-पड़ताल सफल सिद्ध हुई तो बिहार, राजस्थान और सौराष्ट्र राज्यों में ये कच्चे पदार्थ और अधिक निकाले जायेंगे।

(ग) चेम्बर संयंत्र वाले गंधक के जो कारखाने गंधक के तेजाब की मांग कम होने के कारण बंद कर दिये गये थे, उन्हें जहां भी संभव है, अब फिर चालू किया जा रहा है ताकि बढ़ती हुई मांग पूरी की जा सके।

(घ) काटेक्ट संयंत्र वाले कारखानों के विस्तार के लिये उद्योग (विकास और विनियमन) अधिनियम के अधीन ६ लाइसेंस दिये गये हैं।

(ङ) जब सरकार किसी योजना को मंजूरी दे देती है तो पूंजीगत माल तथा कच्चे पदार्थ आयात करने, इमारत बनाने का सामान हासिल करने तथा कच्चे पदार्थों और तैयार मालों के परिवहन की समुचित सुविधायें दी जाती हैं।

ऊन

१४१८. श्री रा० स० तिवारी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) देशी ऊन की भारत में नीलाभी करने की व्यवस्था करने के बारे में क्या प्रगति हुई है; और

(ख) क्या सरकार ऐसी व्यवस्था हो जाने पर देशी ऊन के वितरण और मूल्य पर निबंध लगाने की वांछनीयता पर विचार करेगी ?



उद्योग मंत्री (श्री मनुभाई शाह) :  
 (क) भारत में ऊन की नीलामी का बाजार  
 स्थापित करने का प्रश्न किलहाल छोड़ दिया  
 गया है। इस मामले की ऊन विकास परिषद्  
 ने विस्तार के साथ जांच-पड़ताल की थी।  
 उसकी राय यह है कि निर्यात के लिये उप-  
 मध्य ऊन का परिमाण इतना काफी नहीं है  
 जो कि विदेशी खरीदारों को भारत आने  
 के लिये आकर्षित कर सके। परिषद् ने यह  
 भय भी प्रकट किया कि इस समय ऊन की  
 नीलामी बाजार भारत में स्थापित करने से  
 देश को होने वाली विदेशी मुद्रा की आमदनी  
 पर बुरा असर पड़ेगा।

(ख) प्रश्न है, नहीं उठता।

#### रेशम का घागा

१४१६. श्री रा० स० तिवारी : क्या  
 बालिष्ठ तथा उद्योग मंत्री यह बनाने की कृपा  
 करेंगे कि

(क) क्या सरकार रेशम के घागे के  
 मूल्य को विनियमित करने के बारे में कोई  
 कार्यवाही करती है; और

(ख) यदि हा, तो क्या ?

बालिष्ठ मंत्री (श्री कानूनजी) : (क)  
 जी, हा।

(ख) आयात किये हुये रेशम के घागे  
 के मूल्य को निम्न उपायों द्वारा विनियमित  
 किया जाता है।

(१) सरकारी एजेंसियों द्वारा  
 आयात करना।

(२) आयात किये हुये कच्चे रेशम  
 को केन्द्रीय रेशम बोर्ड के  
 जरिये सरकार द्वारा निर्धारित  
 भावों पर वितरित  
 करना।

देश में बने रेशम के घागे के मूल्यों को  
 इस समय बाजार की हासलों के अनुसार

निर्धारित होने के लिये मुक्त छोड़ दिया जाता  
 है।

#### Production of Gur

1429. Shri Amar: Will the Minister  
 of Commerce and Industry be pleased to state:

(a) the total production of Gur,  
 State-wise,

(b) yearly export of Gur;

(c) whether there are any factories  
 of Gur,

(d) if so, the number thereof with  
 their location, and

(e) total demand of Gur in Bombay  
 State?

The Minister of Industry (Shri  
 Manubhai Shah): (a) Statistics about  
 production of gur in the re-organised  
 States have not yet been compiled.  
 During 1955-56 the State-wise production  
 was as follows:—

Name of State	Quantity (in thousand tons)
U P	1,177
Punjab	338
Madras	207
Andhra	168
Bombay	236
Assam	54
Madhya Pradesh	30
Orissa	76
West Bengal	99
Madhya Bharat	7
Hyderabad	119
Mysore	75
P.E.P.S.U.	59
Saurashtra	34
Vindhya Pradesh	5
Delhi	5
Travancore-Cochin	17
Others	4

(b) Prior to January, 1957, figures  
 of exports of Palmyra and cane  
 jaggery were not shown separately in

the trade classification. Export figures for both varieties of gur for the years 1953-54 to 1955-56 are as under:—

Year	Quantity exported
1953-54	1,348
1954-55	9,071
1955-56	23,013

From January to April, 1957, the export of cane jaggery was 7,485 tons.

(c) Yes, Sir.

(d) The number of factories is 245 of which 239 are located in Bombay and 6 in U.P.

(e) Information regarding demand of gur in the present Bombay State is not available. However, during the year 1955-56, before re-organisation, the demand was 4,14,267 tons

#### Border Incidents

1421. Shri Pangarkar: Will the Prime Minister be pleased to state:

(a) the number of border incidents which have occurred during the period from 1st August to the 15th November, 1957 on the Indo-Pakistan borders of East Pakistan; and

(b) the extent of loss of life and property on the Indian side?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) Twenty-two. This does not include figures for West Bengal and Assam for the first half of November.

(b) Three Indian nationals were killed, 9 injured and 4 kidnapped. Property worth about Rs. 3,500 was lost.

#### Displaced Persons in Rajasthan

1422. Shri Onkar Lal: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total number of displaced persons who have been rehabilitated in agriculture at Kishanganj colony in Kotah District Rajasthan; and

(b) the total acreage of land given to them?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). The information is being collected and will be laid on the Table of the Lok Sabha.

#### Displaced Persons at Kotah

1423. Shri Onkar Lal: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total number of displaced persons in Kotah District whose loans have been sanctioned but not paid;

(b) the total amount of such loans;

(c) the reasons for non-payment; and

(d) the steps Government propose to take to expedite payment of these sanctioned loans?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) to (d). The information is being collected and will be laid on the Table of the Lok Sabha.

#### Small Scale Industries in Kotah District

1424. Shri Onkar Lal: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any programme has been formulated in consultation with the Small Industries Service Institute for the development of Small Scale Industries in Kotah District during the year 1957-58; and

(b) if so, the nature of the programme?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). No separate programme has been formulated by the Central Government for the development of Small Scale Industries in Kotah District during 1957-58.

The Government of Rajasthan are, however, running a Model Carpentry Workshop at Kotah with aid from the Central Government. The Government of India have sanctioned a grant of Rs. 16,340 during 1957-58 for the above workshop.

**Cottage Industries in Rajasthan**

1425. Shri Onkar Lal: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of various Cottage Industries started on co-operative basis which are receiving financial aid from the All India Khadi and Industries Commission in Rajasthan division-wise so far,

(b) how many have applied for financial assistance during the year, and

(c) the amount sanctioned for this purpose so far?

The Minister of Industry (Shri Manubhai Shah): (a) The required information is laid on the Table of the Lok Sabha [See Appendix III, annexure No 114]

The information relates to the financial assistance given by the Khadi and Village Industries Commission which was established with effect from the 1st April, 1957, as well as the All India Khadi and Village Industries Board, its predecessor in office

(b) Two

(c) The required information is laid on the Table of the Lok Sabha [See Appendix III, annexure No 114]

**Ambar Charkha Programme in Rajasthan**

1426. Shri Onkar Lal: Will the Minister of Commerce and Industry be pleased to state

(a) the number of people working

No. of tenements sanctioned.	Amount sanctioned	
	Loan	Subsidy
	Rs.	Rs.
952	8,06,820/-	5,37,882/-

in the Ambar Charkha Parishramalayas in Rajasthan at present; and

(b) the quantity of yarn produced by these Parishramalayas so far?

The Minister of Industry (Shri Manubhai Shah): (a) There were 1,667 persons under training in Ambar Charkha Parishramalayas in Rajasthan on the 31st October, 1957.

(b) The quantity of yarn produced so far in these parishramalayas including production centres is as under:

Year	Yarn produced (in lbs)
1956-57	58,726
1957-58 (upto Oct '1957)	1,01,946
Total*	1,60,672

\*The break up of production in the parishramalayas and production centres separately is not available

**Subsidised Industrial Housing Scheme**

1427. Shri Onkar Lal: Will the Minister of Works, Housing and Supply be pleased to state

(a) the number of employers of Rajasthan who have so far availed themselves of the subsidy and loan given by the Central Government under the subsidised Industrial Housing Scheme, Division-wise, and

(b) the total amount taken by them?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chandra): (a) One in Ajmer Division

Amount disbursed till November 1957	No. of tenements completed.	
	Loan	Subsidy
	Rs.	Rs.
3,11,880/-	2,07,920/-	676

**Film on Untouchability**

1428. { Shri D. C. Sharma:  
Shri Damani:

Will the Minister of Information and Broadcasting be pleased to refer to

the reply given to the Unstarred Question No 184 on the 23rd of July, 1957 and state the result of their discussions with some well-known producers regarding the proposal for producing a full-length educative film on the removal of untouchability?

The Minister of Information and Broadcasting (Dr. Keskar): Some producers were requested in September last to send us their proposed treatment of the subject and to intimate their terms for the production of the feature film. Replies from some have been received.

#### Documentary on Territorial Army

1429. Shri D. C. Sharma: Will the Minister of Information and Broadcasting be pleased to state when the documentary film on the activities of the Territorial Army will be ready for exhibition?

The Minister of Information and Broadcasting (Dr. Keskar): A film entitled "Our Territorial Army" already exists. A new film depicting the activities of the Territorial Army is being undertaken and is expected to be ready in about six months.

#### Government Advertisements

1430. { Shri D. C. Sharma:  
Sardar Iqbal Singh:

Will the Minister of Information and Broadcasting be pleased to state the amount paid to newspapers and periodicals in Punjab on account of Central Government Advertisements during 1957 upto the 30th of November, 1957?

The Minister of Information and Broadcasting (Dr. Keskar): Rs. 1,37,550

#### Community Listening Scheme

1431. Shri D. C. Sharma: Will the Minister of Information and Broadcasting be pleased to state the amount spent on providing cheap radio sets under the Community Listening Scheme in 1957 so far, State-wise?

The Minister of Information and Broadcasting (Dr. Keskar): Provision for the grant of subsidy to State Governments for supplying community radio sets is made on the basis of the financial year, the rate of subsidy being 50 per cent. of the cost of the sets, or Rs. 125 per set, whichever is

less. The actual figures of expenditure incurred so far in respect of each State on supplies arranged during 1957-58 are not yet available, as the supply has commenced only recently.

#### Class IV Employees Quarters

1432. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 1673 on the 13th September, 1957 and state the number of quarters for Class IV employees near Panchkuan Road, New Delhi, renovated during 1957 (upto the 30th November, 1957) with regard to power supply, water supply and sanitary arrangements?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): The provision of forty-four additional hydrants is being taken in hand soon; proposals for supplementing the existing sanitary arrangements and electrifying these quarters are under consideration.

#### Foreign Exchange Departments.

1433. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state the expenditure incurred on the establishments of India Stores Department, London, and the India Supply Mission, Washington, separately during 1957-58 so far?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): The figures of expenditure incurred on the establishments of the India Store Department, London and India Supply Mission, Washington during the current financial year upto the 31st of October 1957, as provisionally assessed, are Rs. 41,31,307.00 and Rs. 14,43,121.00 respectively.

#### जन सहयोग

१४३४. श्री भक्त वरुण : क्या योजना में ३ दिसम्बर, १९५६ के तारांकित प्रश्न संख्या ६८६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना को सफल बनाने के लिये जन सहयोग प्राप्त

करने के उद्देश्य से जिस समन्वय समिति की स्थापना की गई थी, क्या इस बीच उसने कुछ कार्य किया है ;

(ख) यदि हाँ, तो क्या अब तक किये गये कार्य का एक विवरण समा-पटल पर रखा जायेगा ;

(ग) समिति को अपने उद्देश्य में अब तक कितनी सफलता मिली है ; और

(घ) इस कार्य में और तेजी लाने के लिये कौन से कदम उठाये जा रहे हैं ?

श्रीमान् उपमंत्री (श्री दया० नं० मिश्र) :

(क) तथा (ख) एक विवरण सदन की मेज पर प्रस्तुत है । [देखिये परिशिष्ट ३, अनुसूच्य संख्या ११५]

(ग) समिति को बने एक साल हुआ है । समिति को कितनी सफलता मिली है वह तो प्रत्येक स्वीकृत स्कीम में किये गये काम का सही अनुमान मिलने पर ही पता लग सकेगा ।

(घ) काम की गति तेज करने के लिये निम्नलिखित कदम उठाये गये हैं और उ० ये जा रहे हैं :—

- (१) जन सहयोग की राष्ट्रीय परामर्श-दात्री समिति का पुनर्गठन,
- (२) समन्वय समिति को थोड़े थोड़े समय बाद बैठकें बुलाना,
- (३) स्कीमों को स्वीकृति देने की प्रणाली का सरलीकरण,
- (४) जन सहयोग के लक्ष्य एवं सिद्धांतों पर तथा जन सहयोग के कार्यक्रम के अन्तर्गत किन स्कीमों को आर्थिक सहायता मिल सकती है उनके बारे में पुस्तिका निकालना ।
- (५) केन्द्रीय मंत्रालयों तथा राज्य सरकारों द्वारा विभिन्न कार्य-क्रमों के लिये समाजसेवी मंस्थानों

को भी जाने वाली आर्थिक सहायता की जानकारी विवरण एक पुस्तिका निकालना

### Pepper Industry

1435. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state whether Government have prepared or propose to prepare any documentaries showing the various stages of the Pepper Industry?

The Minister of Industry (Shri Manubhai Shah): Yes, Sir. It is proposed to produce a documentary film on Pepper Industry.

### Labour Programmes in the Second Five Year Plan

1436. Shri Sanganna: Will the Minister of Labour and Employment be pleased to state:

(a) whether any changes have been made in the labour programmes of the Second Five Year Plan in pursuance of the decisions arrived at the State Labour Ministers' Conference held in New Delhi on the 15th and 16th October, 1957;

(b) if so, their nature;

(c) whether it is a fact that some State Governments have objected to the imposition of welfare cess on the manganese exports and the extension of the Provident Funds Act; and

(d) if so, the reasons therefor?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):

(a) No.

(b) Does not arise.

(c) and (d). As regards the imposition of welfare cess on the manganese exports except for Orissa and all State Governments have agreed to the proposed legislation for labour welfare in Manganese Mines. The Government of Orissa have asked for exemption from the provisions of the proposed legislation on the ground that there already exists a State legislation governing all the mines in that State.

The Employees' Provident Funds Act, 1952, has been extended to manganese mines with effect from 30th November, 1957; all the State Governments agreed to this extension.

#### Textile Wage Board

1437. { Shri Jadhav:  
Pandit K. C. Sharma:

Will the Minister of Labour and Employment be pleased to state:

(a) the progress made by the Textile Wage Board; and

(b) when the final report of the Board is expected to be out?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):

(a) and (b). A detailed questionnaire has been issued by the Wage Board and replies to it are still awaited. It is not possible at this stage to give any indication as to when the report of the Wage Board will be ready.

#### Landslide in N.E.F.A.

1438. { Dr. Ram Subhag Singh:  
Shri Radha Raman:  
Shrimati Mafida Ahmed:  
Shri Bhagavati:

Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to a press report published in the *Statesman* of Delhi of October 26, 1957 to the effect that Aka, a village in the Kameng Frontier Division of the North East Frontier Agency is feared to have been wiped out with about 400 inhabitants when a dam created by a heavy landslide across the river Towang chu suddenly gave way; and

(b) if so, what are the facts about it?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) and (b). Yes, Sir. Government have noticed the Press report referred to. On inquiry, it was found that the report is without foundation.

A river, called Chuchu, was blocked as a result of a landslide but the level of the river is subsiding. There is no Aka village near this blockage.

#### Dock Workers Advisory Board

1439. Shri Tangamani: Will the Minister of Labour and Employment be pleased to state:

(a) when the Dock Workers Advisory Board was formed and how many times they have met;

(b) what advice was tendered by this Board;

(c) the action Government have taken thereon;

(d) whether the Board have met in 1957-58 so far; and

(e) if not, the reasons therefor?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):

(a) The Dock Workers Advisory Committee was set up on the 11th February 1950 and it met only once.

(b) The main recommendation of the Committee was that an Enquiry Committee should be appointed by Government to enquire into the working of the Dock Workers (Regulation of Employment) Schemes in the ports of Bombay, Calcutta and Madras.

(c) The Committee's recommendation was accepted and a Dock Workers Enquiry Committee was appointed in January 1955.

(d) No

(e) A meeting of the Committee is proposed to be convened in the near future.

#### Trade with Burma

1440. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to state what is the conclusion of the recent talks between the Government of India and Burmese trade delegation in connection with the promotion of trade between the countries?

**The Minister of Commerce (Shri Kanungo):** The talks between the Government of India and the Burmese Trade Delegation were of a purely exploratory nature. A number of suggestions for augmenting purchases of Indian goods were exchanged with the Burmese Joint Venture Corporation and the Burma Purchase Board and it is expected that the Burmese trading organisations concerned would be taking decisions on these suggestions shortly.

### National Industrial Development Corporation

**1441. Shri Damani:** Will the Minister of Commerce and Industry be pleased to state how many Textile Mills have been subject to the survey by the National Industrial Development Corporation?

**The Minister of Industry (Shri Manubhai Shah):** The survey of cotton textile mills in connection with their applications for loans from the National Industrial Development Corporation (Private) Limited, is being conducted by the Survey Party attached to the office of the Textile Commissioner, Bombay. So far, upto 1st November, 1957, 30 mills have been surveyed for this purpose.

### Textile Mills

**1442. Shri Damani:** Will the Minister of Commerce and Industry be pleased to state the quantum of capital goods imported by the Textile units in India during the years 1956-57 and 1957-58 so far?

**The Minister of Commerce (Shri Kanungo):** 1956-57 . Rs. 27,02,82,000  
1957-58 (April to

June, 1957) .. Rs. 7,36,49,000.

### Textile Mills

**1443. Shri Damani:** Will the Minister of Commerce and Industry be pleased to lay on the Table a statement showing the profit earning Textile Mills with the amount of profit earned as also losses incurring Textile Mills with the losses incurred

and the net balance of the profit earned by the Textile Industry as a whole in India during the year 1956-57?

**The Minister of Industry (Shri Manubhai Shah):** Precise information is not available. Profits or losses vary from mill to mill and from year to year according to the relative efficiencies of the mills. In a normal year, the average net profit may be assumed at about 6 per cent. on turnover or roughly between Rs. 25 to 30 crores for the cotton textile industry in India as a whole.

Out of the 412 Textile Mills which existed at the commencement of 1956 Balance Sheets for the last year have been received only in respect of 236 mills. Of these 236 mills 213 mills had made a total profit of nearly Rs. 20 crores while the remaining mills suffered a loss of nearly Rs. 2 crores in all Balance sheets for the remaining 176 mills, for most of which the accounting year ended on 31st March, 1957, are still awaited.

### Centres for Jartar and Gold-Plating Jartar

**1444. Shri Jadhav:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of centres in India where Jartar and Gold plated Jartar by chemical process is being used in sarees and in other clothings;

(b) the names of the centres where the Jartar and gold plating on the Jartar by chemical process is produced;

(c) whether there are any centres where coaching can be given to those who want to learn how to produce Jartar and to plate the same by gold by chemical process or other methods;

(d) if not, whether Government are thinking to start such centres in the near future; and

(e) if so, when and where?

**The Minister of Industry (Shri Manubhai Shah):** (a) Exact information is not available but it is estimated

that there are about 96 such centres of importance.

(b) Varanasi, Surat and Bangalore.

(c) No, Sir.

(d) and (e). The Government of India have, at present, no proposal for starting such Centres.

#### Export of Tiles

1445. **Shri Dasaratha Deb:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether tiles are being exported abroad from India;

(b) if so, the quantity of tiles exported in 1956-57;

(c) whether any export duty is imposed on it; and

(d) if so, the amount realised thereon during the same period?

**The Minister of Commerce (Shri Kanungo):** (a) Yes, Sir.

(b) 26,128,319\* Nos.

(c) No, Sir.

(d) Does not arise.

#### Manufacture of Machinery

1446. **Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the present position of Machinery Manufacturing Industry in India with details regarding production;

(b) the number of workers employed therein;

(c) the quantity of each item produced;

(d) the extent of Public Sector in the Industry;

(e) the profit earned in one year; and

(f) the quantity imposed in each of the main items etc.?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (f). Machinery Manufacturing is not a single industry. There are various types of machinery required for different industries. Even within the same industry, different types of machinery will be required for different processes and different stages of each process. A very large number of units in the country are manufacturing machinery items. It is, therefore, not possible to furnish information asked for by the Honourable Member. If, however, a specific question is to be asked in respect of any particular item or items of machinery, I shall endeavour to furnish an answer.

#### Cement

1447. { **Shri Hem Raj:**  
**Shri Padam Dev:**

Will the Minister of Commerce and Industry be pleased to state:

(a) the total annual requirements of cement in the country at present;

(b) the annual production of cement during the years 1955 to 1957 so far (year-wise); and

(c) the annual imports of cement during the same period, year-wise?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 116.]

#### Cryolite

1448. **Shri Brajeshwar Prasad:** Will the Minister of Commerce and Industry be pleased to state:

(a) how much cryolite is imported annually and from which countries;

(b) the attempts, if any, made in India towards the manufacture of synthetic cryolite;

(c) whether any research work has been done on this subject;

(d) if so, where and when; and

\*Includes a small quantity of bricks.



(e) the present position regarding the research work?

**The Minister of Commerce (Shri Kanungo):** (a) Import figures for

Country	Quantity (in tons)	Value in Rupees (thousands)
Denmark	324	414
U.S.A.	11	29
Total	335	443

(b) to (d). Experiments are being conducted for the manufacture of synthetic cryolite since 1955 at the National Chemical Laboratory, Poona

(e) Research work is still in progress

**Pakistanis' Visit to India and Vice versa**

**1449 Shri Pangarkar:** Will the Prime Minister be pleased to state

(a) the total number of Pakistani nationals who came to the five districts of Marathwada region of Bombay during 1956-57 to see their relations on passport facilities provided to them by Indian High Commission in Karachi; and

(b) the total number of Indian nationals from the above region who visited Pakistan during 1956-57?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b) The information is being collected and will be placed on the Table of the Lok Sabha when available.

**Small Scale Production Centres**

**1450. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the places where the fifteen Small Scale Production Centres proposed are to be established in 1957-58, and

(b) when these Production Centres are likely to start production?

**The Minister of Industry (Shri Manabhai Shah):** (a) and (b). A

cryolite have been classified separately from January 1957 only. Imports during January-June, 1957, were as follows:—

statement is laid on the Table of the Lok Sabha [See Appendix III, annexure No 117]

**Trade with Egypt**

**1451 Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state

(a) whether there is any increase in the trade between India and Egypt with the opening of Special Rupee Account, and

(b) if so, in what manner and to what extent?

**The Minister of Commerce (Shri Kanungo):** (a) and (b) A statement is laid on the Table of the Lok Sabha [See Appendix III, annexure No 118]

**Rehabilitation Department of Tripura**

**1452 Shri Dasaratha Deb:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) the total staff of the Construction Division created under the Relief and Rehabilitation Department, Tripura; and

(b) the total amount of money spent for payment of salaries and allowances of this staff since its creation?

**The Minister of Rehabilitation and Minority Affairs (Shri Mohar Chand Khanna):** (a) The total number of staff in the Engineering Division of the Rehabilitation Department of the Tripura Administration is 80.

(b) Rs. 56,414/- since 11th February, 1957, the date from which the Division began to function.

### Regional Labour Commissioners and Conciliation Officers

1453. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of cases settled by the Regional Labour Commissioners and conciliation officers in Defence Establishments during the period from 1953-54 to 1957-58 (upto 1st November, 1957); and

(b) the number of cases where settlement could not be reached during the above period?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):**

(a) and (b) 234 cases were settled and 61 were not settled. This is for the period 1st April 1953 to 31st March 1957 and does not include the Madras Region.

### Subsidised Industrial Housing Scheme

1454 { **Shri S. M. Banerjee:**  
**Shri Tangamani:**

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is a proposal to construct houses for workers under the Subsidised Industrial Housing Scheme in Dehu Road (Poona), and

(b) if so, the number of such houses?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b) No A request was, however, received from All India Defence Employees Federation, Kirkee, Poona, for extension of the Subsidised Industrial Housing Scheme to cover Government employees at Dehu (Poona) employed in various Government establishments. The Government were unable to accept this request as the present Scheme does

not cover employees in Central or State undertakings not liable to pay income tax. The Federation have however been advised to suggest to eligible Government employees to avail of the loan facility under the Low Income Group Housing Scheme or under the Rules to regulate the grant of advances to Central Government servants for building etc. of houses.

### Govindnagar, Kanpur

1455. { **Shri S. M. Banerjee:**  
**Shri Tangamani:**

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether small industrial units are functioning in Govindnagar, Kanpur;

(b) if so, the number of such units; and

(c) the number of persons provided with employment?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) to (c) No industrial schemes have so far been sanctioned for Govindnagar.

### आकाशवाणी

१४५६ श्री मोहन स्वरूप : क्या सूचना और प्रसारण मंत्री यह बनाने की कृपा करेंगे कि .

(क) आकाशवाणी के विभिन्न केन्द्रों में इस समय कुल कितने इंजीनियर काम कर रहे हैं, और

(ख) इंजीनियरों के प्रतिरिक्त कुल कितने कर्मचारी काम कर रहे हैं और उन पर कितना वार्षिक खर्च होता है ?

**सूचना और प्रसारण मंत्री (डा० केशकर) :** सूचना इकट्ठी की जा रही है और यथा समय सभा के मेज पर रख दी जायेगी ।

## Newsprint Factories

1457. **Shrimati Ila Palchoudhuri:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that establishment of two new newsprint factories is under the consideration of Government of India;

(b) if so, when a final decision is likely to be arrived at; and

(c) the places of their location?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). The only proposal under consideration is to set up a newsprint factory at Shakarnagar in Andhra Pradesh based on bagasse available from the local sugar factory. As already stated on the 14th November, 1957 in reply to the Starred Question No. 137, efforts are being made to secure satisfactory foreign collaboration for this purpose.

1. Indian Turpentine and Rosin Co. Ltd., Bareilly
2. Jammu Rosin and Turpentine factory, Miransahib
3. Himachal Rosin and Turpentine Factory Nahan

The estimated annual production of the cottage industry units is as under:—

Rosin	1,50,000 cwt.
Turpentine	3,65,000 Gallons

(b) The total quantity of Turpentine and Rosin exported during 1954-55, 1955-56 and 1956-57 (April-December) is as under:—

	1954-55		1955-56		1956-57 (April-December)	
	Qty.	Value Rs.	Qty.	Value Rs.	Qty.	Value Rs.
Rosin	56,376 (Cwt)	26,71,719	70,302 (Cwt)	28,47,421	37,002 (Cwt)	16,25,000
Turpen- tine	3,99,762 (gallons)	13,49,009	3,18,600 (gallons)	14,14,275	1,00,475 (gallons)	3,62,000

## Export Promotion Councils

1459. **Shri Damani:** Will the Minister of Commerce and Industry be

## Turpentine and Rosin Factories

1458. **Shrimati Ila Palchoudhuri:** Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the number of turpentine and rosin factories in India in each of the Public and Private Sectors;

(b) their location;

(c) their respective annual production; and

(d) the total quantity of turpentine and rosin exported, any?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 119].

(c) The production of Turpentine and Rosin during the period January to September, 1957 of the organised units is as under:—

Rosin [in Cwts.]	Turpentine [in gallons]
1,08,609	3,12,685
26,355	67,515
4,730	11,575

pleased to state the steps taken by the Export Promotion Councils in 1957-58 (till 30th November, 1957) to promote exports?

**The Minister of Industry (Shri Manubhai Shah):** Steps taken by the Export Promotion Councils in 1957-58 (till 30th November, 1957) to promote exports are enumerated below:—

(1) Participated in various International Fairs and Exhibitions held in European and Asian countries, and distributed Illustrated Brochures. Samples were also displayed in the trade centres and commercial show rooms maintained abroad by the Government.

(2) Conducted market surveys in some of the European and Asian countries.

(3) Publishing Monthly Bulletins for the benefit of the importers and exporters giving statistical data, and other useful information relating to foreign markets.

(4) The Cotton Textiles Export Promotion Council maintained overseas offices at Aden, Rangoon, Singapore, Baghdad, Mombasa and Lagos; while the Engineering Export Promotion Council has opened offices at Rangoon and Mombasa.

(5) The Engineering Export Promotion Council sent a Trade Delegation to West Asian countries and the Plastics Export Promotion Council sent a Delegation to East African countries to study export possibilities.

(6) Investigated and settled a large number of Commercial disputes between Indian and foreign parties.

(7) Samples of Silk, Rayon, Cotton Textiles, and Plastic goods which compete with our products in foreign markets were obtained and displayed at various important centres for the benefit of Indian manufacturers and exporters.

(8) Advertised Indian goods in the journals and Newspapers of East African, West Asian and South East Asian countries. Conducted publicity through Radio talks and Cinema slides.

(9) Conducted surveys of the home industry relating to production, assessment of the requirements of raw material and selection of commodities having export potential.

#### Jute

**1460. Shri Mohammed Tahir:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount of jute purchased from Pakistan under Indo-Pakistan agreement of January, 1957; and

(b) the total amount of the cuttings purchased under the said agreement and what was its price per maund?

**The Minister of Commerce (Shri Kanungo):** (a) Figures of purchases are not available. A quantity of 7,25,930 bales of raw jute (including cuttings) was licensed for import from Pakistan from 1st February to 15th November, 1957.

(b) 2,30,820 bales of jute cutting were licensed for imports from Pakistan from 1st July to 15th November, 1957. The ruling price ranged between Rs. 16 and Rs. 26.40 per maund.

#### PAPERS LAID ON THE TABLE

NOTIFICATIONS ISSUED UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) Act, 1951

12 hrs.

**The Minister of Industry (Shri Manubhai Shah):** I beg to lay on the Table, under sub-section (2) of Section 18-A of the Industries (Development and Regulation) Act, 1951, a copy of each of the following Notifications:—

(1) S.R.O. No. 1623-IDRA/18A/6/56 dated the 16th July, 1956.

(2) S.R.O. No. 2039-IDRA/18A/7/56 dated the 8th September, 1956.

[Shri Manubhai Shah]

- (3) S.R.O. No. 2123-IDRA/18A/1/57 dated the 29th June, 1957.
- (4) S.R.O. No. 2124-IDRA/18A/2/57 dated the 29th June, 1957.
- (5) S.R.O. No. 2862-A-IDRA/18A/3/57 dated the 10th September, 1957.
- (6) S.R.O. No. 2862-B-IDRA/18A/4/57 dated the 10th September, 1957.
- (7) S.R.O. No. 3019-IDRA/18A/5/57 dated the 18th September, 1957.
- (8) S.R.O. No. 3320-IDRA/18A/6/57 dated the 18th September, 1957.
- (9) S.R.O. No. 3382-IDRA/15/1/57 dated the 17th October, 1957.

[Placed in Library. See No LT-430/57]

NOTIFICATION ISSUED UNDER EMPLOYEES' PROVIDENT FUNDS ACT, 1952

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952, a copy of Notification No SRO 3565 dated the 9th November, 1957, making certain further amendment to the Employees' Provident Funds Scheme, 1952

[Placed in Library See LT 428/57]

#### BUSINESS ADVISORY COMMITTEE FIFTEENTH REPORT

Shri Rane (Buldana): I beg to present the Fifteenth Report of the Business Advisory Committee.

#### PREVENTIVE DETENTION (CONTINUANCE) BILL

Mr. Deputy-Speaker: The House will now resume further discussion of the Preventive Detention (Continuance) Bill, 1957. Out of 7 hours agreed to

by the House, for discussion, 4 hours and 56 minutes have already been availed of, and 2 hours and 4 minutes now remain. After the general discussion is over, clause-by-clause consideration and the third reading of the Bill will be taken for which one hour each has been allotted. Shri Braj Raj Singh will continue his speech.

श्री ब्रजराज सिंह (फीरोजाबाद) :

उपाध्यक्ष महोदय, कल मैं यह निवेदन कर रहा था कि एक ही समस्या के लिए भारत के दो विभिन्न प्रान्तों में पुलिस किस प्रकार चलन चलन साधन दूती है। चम्बल के उत्तर में ताजीरात हिन्द की दफा २१६ के नोटिस देकर लोगों को डाकुओं को प्रश्रय देने के लिए मजबूर की जाती हैं और चम्बल के दक्षिण में उमी अफराक के लिए लोगों को नजरबन्दी कानून के अन्दर बन्द किया जाता है। मैं पूछना चाहता हूँ कि जो लोग डाकुओं को पनाह देते हैं उनको नजरबन्दी कानून में एक साल के थोड़े से समय के लिए बन्द करके इनकी गद्दी सजा क्यों दी जाती है। जब ताजीरात हिन्द की धारा २१६ मोहर है और एक राज्य सरकार उसके मन्त्रिक काम कर रही है और मैं इसे आदमियों को बन्द करके मजबूर द रही है ना क्यों नहीं मारे भारत में डाकुओं को प्रश्रय देने वालों का छोटा धारा के अधीन बन्द क्या जाता और इस तरह से उनको मिक एन साल के लिए आगामी में क्या बन्द किया जाता है।

आपकी पुलिस गीधे और सस्ते मार्ग को अपनाता चाहती है। जब उस कोई मोर्चा और सस्ता मार्ग मिल जाता है तो वह सबूत आदि देकर सजा कराने की तकलीफ नहीं उठाना चाहती। और जब आपकी पुलिस आपसे कहती है कि नजरबन्दी कानून की जरूरत है तो आप भी आमानी से उस कानून की मियाद को बढ़ाने के लिए तैयार हो जाते हैं। मैं आपसे पूछना चाहता हूँ कि इस कानून का सब से ज्यादा फायदा कौन करता है। क्या

जिलाधीन या प्रतिरिक्त जिलाधीन या राज्य सरकार अथवा केन्द्रीय सरकार इस कानून के अनुसार धमल करती है। मेरा निवेदन है कि इसका सबसे ज्यादा धमल सारे शासन में केवल सब इन्स्पेक्टर पुलिस करता है। वही अपने हुलके के अभागे आदमियों को नजरबन्द करता है। अगर वह चाहता है कि किसी आदमी को बन्द रखा जाये तो वह उसके खिलाफ रिपोर्ट दे देता है और कानून उसको मौका नहीं देता कि वह अपनी सफाई भी पेश कर सके कि जिस तरह की बात पुलिस कहती है वैसी बात नहीं है। किसी भी आदमी के लिए कह दिया जाता है कि यह बम बनाना है, या वह हिमक कारंवाई करना चाहता है, उसे बन्द कर दिया जाता है और उसे अपन लिए सफाई भी पेश करने का मौका नहीं दिया जाता है और इन प्रकार गाल भंग के लिए उसकी आजादी का अपहरण कर लिया जाता है।

मेरे आगेको बताऊंगा कि बिग तरह से यह ऐक्ट विरोधी दलों पर लागू किया जाता है। इस ऐक्ट का प्रयोग उन लोगों के खिलाफ नहीं किया जाता जिन्हें समाज विरोधी तत्व कहा जा सकता है। आपने समाज विरोधी तत्व की परिभाषा न इस कानून में दी है और न जनरल क्लॉजेज ऐक्ट में दी है। न गड की कांट परिभाषा की गयी है। आप कहते हैं कि यह ऐक्ट गडों और समाजविरोधी तत्वों के खिलाफ इस्तेमाल होता है। लेकिन जब इन लोगों की परिभाषा ही नहीं है, तब तो यहाँ होगा कि जिस आदमी को पुलिस सब इन्स्पेक्टर कह देगा कि यह समाज विरोधी तत्व है उसी को बन्द कर दिया जायेगा। उसको सफाई देने का भी मौका नहीं होगा और न वह अपील कर सकेगा।

आप चाहते हैं कि तीन साल के लिए इस कानून की मियाद बढ़ा दी जाये। दूसरी तरफ आप कहते हैं कि मुल्क उन्नति कर रहा है, आप बड़ी बड़ी इमारतें बना रहे हैं, जैसे उद्योग भवन, विज्ञान भवन, अशोक

होटल आदि। साथ ही साथ आप कहते हैं कि हमने देश की आजाद समस्या को हल कर लिया है। आप कहते हैं कि हिन्दुस्तान के वे लोग जो कि मोटा भनाज खाते थे अब गेहूँ खाने लगे हैं। आप कहते हैं कि शान्ति और व्यवस्था कायम करने में हमको सफलता हो गयी है। लेकिन फिर भी आप चाहते हैं कि इस काले कानून को हम तीन साल के लिए और बढ़ा दें। आपके आकड़े यह याचित करते हैं कि जो परिस्थिति सन् १९५० में थी वह आज नहीं है। वह परिस्थिति भी आज नहीं जो कि उस समय थी जब कि डा० काटजू ने हमको तीन साल के लिए बढ़ावाया था। आपके आकड़े बताते हैं कि २०५ आदमी इस कानून के मानहत बन्द हैं। कल श्री दातार ने बताया था कि २४ नवम्बर सन् १९५७ तक पंजाब में सिर्फ २५ आदमी बन्द थे। अतः इस समय ११५ आदमी बन्द होंगे। वे अनेक मामलों में बन्द हैं। पंजाब में भाषा का मुकाल है। कुछ दण्डियों को बन्द किया गया है। तो इन छोटे स आदमियों के लिए आप मारे देश पर इस कानून को क्यों थोपना चाहते हैं। आप कहते हैं कि आप हिन्दुस्तान का शासन साधारण कानून में नहीं चला सकते इसलिए आपको इस विशेष कानून की जरूरत है ताकि आप चाहे जिस आदमी का बन्द कर सकें। अगर आप चाहते हैं कि हम अपनी गरदन आपके फन्दे में डाल दें तो हम इसके लिए तैयार नहीं हैं। अगर आप चाहते हैं कि हम आत्म हत्या कर लें तो हम इसके लिए तैयार नहीं हैं। अगर आप हमारी हत्या करना चाहते हैं तो भले ही करें लेकिन याद रखें कि इस तरह की हत्या की प्रतिक्रिया भी होगी। आप कहते हैं कि कुछ लोग देश में हिंसा फैलाते हैं, अशान्ति फैलाते हैं, लोग कानून तोड़ना चाहते हैं, कुछ लोग सामूहिक तरीके से कानून तोड़ना चाहते हैं। मैं सोशलिस्ट पार्टी की तरफ से यह साफ शब्दों में ऐलान कर देना चाहता हूँ कि हम अनुचित कानूनों को सामूहिक रूप से जरूर तोड़ेंगे लेकिन उसके साथ ही साथ हम यह भी स्पष्ट कर देना चाहते

[श्री बजर्राज सिंह]

हैं जहाँ हम मुल्क की समस्या को हल करने के लिए व्यक्तिगत और सामूहिक सत्याग्रह द्वारा कानून को तोड़ेंगे वहाँ हम अपने आन्दोलन में एक ककड़ का भी इस्तेमाल नहीं करेंगे, हम हिंसा को प्रश्रय नहीं देंगे। हम तो उसी रास्ते पर चलेंगे जो महात्मा गांधी ने बताया है। मैं आपसे पूछना चाहता हूँ कि इस मुल्क में जो रास्ता राष्ट्रपिता ने बतलाया है क्या उस पर चलने के कारण हमें इस कानून के अन्दर बन्द किया जायेगा। जिस रास्ते पर चल कर आप आज मुल्क का शासन कर रहे हैं उसी पर चलने के कारण हमें बन्द होना पड़ेगा। एक तरफ आप कहते हैं कि उन्नति हो रही है, दूसरी तरफ आप कहते हैं कि स्याच समस्या बिगड़ रही है, भ्रष्टाचार कम नहीं हो रहा है, गवर्नमेंट के नौकरों में भ्रष्टाचार फैल रहा है। जब ऐसी बात है तो क्या आप चाहते हैं कि आपकी पुलिस रिश्तों से और हम उसके खिलाफ प्रचार भी न करें। लेकिन ऐसा करने का नतीजा होता है कि पुलिस सब इम्पेक्टर ऐसे लोगों पर निगाह रखने लगता है और सोचता है कि इस आदमी को मौका देने पर बन्द किया जायेगा। क्या आप चाहते हैं कि जब स्याच स्थिति सकटपूर्ण हो तब जनता के अलूस न निकलें और न प्रदर्शन हो, जनता भ्रष्टाचार की ओर आपका ध्यान आकर्षित न करे। अगर स्याच सकट होगा तो जनता के प्रदर्शन होंगे, मभावें होंगी, और मिथिल नाफरमानी होगी। ऐसे आन्दोलनों को इस कानून द्वारा दबाना मैं समझता हूँ कि उचित नहीं है। आज मुल्क में जनतंत्र है। यह कानून चलत है। इससे मुल्क की समस्याएँ हल नहीं होंगी। अगर देश की जनता की दिक्कतें बढ़ रही हैं तो हमें उनकी ओर शान्तिमय तरीके से आपका ध्यान खींचना होगा और आपको उन्हें दूर करने की कोशिश करनी चाहिए। इस सम्बन्ध में मैं यह जरूर कह देना चाहता हूँ कि हम हिंसा नहीं अपनाना चाहते और जो लोग हिंसा को अपनाना चाहते हैं उनसे हमारा निवेदन है कि हिन्दुस्तान में

जनतंत्र की सफलता के लिए मैं हिंसा को छोड़ दूँ। यह जो दक्षिण भारत में हमारे संविधान की प्रतिमा जलायी जा रही है और महात्मा गांधी के फोटो जलाये जा रहे हैं इससे मुझे दर्द होता है।

बी० स० मूर्ति (काकिनाडा रक्षित—अनुसूचित जातियाँ) : मूर्तियाँ जलायी जाती हैं ?

श्री बजर्राज सिंह : मैं ने फोटो कहा था मूर्तियाँ नहीं। शायद माननीय सदस्य अभी हिन्दी अच्छी तरह से नहीं जानते हैं।

मैं आपसे निवेदन करना चाहता हूँ कि हम इस चीज के समर्थक नहीं हैं और हम उसके खिलाफ अपना विरोध प्रकट करना चाहते हैं। लेकिन सरकार सोचे कि आखिर यह स्थिति क्यों पैदा हुई। यह चीज सिर्फ यह कह देने से बन्द नहीं हो सकती कि जो लोग यहाँ नहीं रहना चाहते वे यहाँ से चले जायें। अगर हमारे देश की जनता का कोई भाग इस तरह हिंसा को अपनाता है तो हमें चाहिए कि हम उसे समझाये। उसे इस कानून के मुनाबिक बन्द करने में काम नहीं चल सकता। हिंसा को बन्द करने के लिए हमें अहिंसा से काम लेना चाहिए। हमें राष्ट्रपिता ने यही बताया है। लेकिन आप उनके अनुयायी होने का दावा करने हुए भी उन आदमियों को बन्द करते हैं। यह रास्ता तो राष्ट्रपिता ने नहीं बतलाया था। मैं इस काम को रोकने के लिए अभी कानून का सहारा न लेने। मैं आपको याद दिलाऊँ रालेड ऐक्ट की ओर भारत सुरक्षा कानून की जिसके अन्तर्गत हमें और आपको बहुत परेशान किया गया। मैं समझता हूँ कि इस सरकार में भी ऐसे लोग आज मौजूद हैं जिन्होंने रालेड ऐक्ट के दमन को देखा है, जिन्होंने देखा है कि भारत सुरक्षा कानून में किस तरह से जनता को परेशान किया गया। और आप यह भी जानते हैं कि रालेड ऐक्ट से देश को

भाषा की पिपासा शान्त नहीं हुई, भारत सुरक्षा कानून भारत में ब्रिटिश साम्राज्य की कायम नहीं रख सका। फिर आप यह कैसे सोचते हैं कि यह नजरबन्दी कानून आपके शासन को कायम रखने में सफल होगा। इससे तो आपका नुकसान होता है। क्या आपको दिखाई नहीं पड़ता कि अनेक सदस्यों को आपका नजरबन्दी कानून ही इस सदन में लाया है। जो लोग आपके नजरबन्दी कानून में पकड़े गये थे आज वे ही सदन के सदस्य बन सके हैं। आप यह नहीं देखते। आप मुल्क की भलाई नहीं सोचते। आप अपने दल की भलाई नहीं सोचते और आप इसे तीन साल के लिए बढ़ाना चाहते हैं और आप कहते हैं कि इस कानून की दफाओं में जाने की आवश्यकता नहीं है। आपको इसके लिए एक कमेटी बिठानी चाहिए थी। इसके लिए कम से कम सात दिन का तो समय देते। निवारक निरोध अधिनियम के सम्बन्ध में सेलेक्ट कमेटी बैठायें, इसको प्रवर समिति को सौंप दीजिये और उससे कहिये कि वह इस कानून में आमूल बूल परिवर्तन करने के सम्बन्ध में अपने सुझाव दे। इस कानून की कुछ बातें अच्छी हैं जैसे अगर कोई खुले रूप से हिंसा का समर्थन करता है अथवा लोगों को हिंसा करने के लिए भड़काता है तो आप उसको ऐसा करने से रोकने के लिए इस कानून का इस्तेमाल कर सकते हैं। इसी तरह से हिन्दुस्तान में कुछ ऐसे लोग हो सकते हैं जो कि इस देश के प्रति आस्था भाव न रखते हों और जिनका कि विदेशों से कुछ सम्बन्ध हो और जो कि यहां पर राष्ट्र विरोधी कार्यवाहियां करना चाहते हों और हिन्दुस्तान का सम्बन्ध विदेशों से खराब करना चाहते हों, ऐसे अबांछनीय तत्वों के खिलाफ आप इस कानून का इस्तेमाल करके उनको बैसा करने से रोक सकते हैं। लेकिन हिन्दुस्तान के अन्दली मामलों में इस नजरबन्दी कानून से काम लेना और यहां पर इस्तेमाल करने से तो यह समझा जायगा कि आप इस कानून का अवलंबन से कर अपनी

पार्टी की सरकार को हुकूमत की कुर्सी पर बिठाये रखना चाहते हैं और अन्य राजनैतिक दलों को दबाये रखना चाहते हैं। इस नजरबन्दी कानून की हिमायत में आपका यह कहना कि ब्रूकि हिन्दुस्तान के लोगों ने आपकी पार्टी को यहां बहुमत में भेजा है इसलिए इसका समर्थन और इसकी मियाद बढ़ाने के पीछे जनता की मेजरिटी है, यह कहना ठीक नहीं होगा। जनतंत्र का जिस तरीके का हमारा भाव डाला है उसमें आप और हम सब यह जानते हैं कि बहुमत के वोट न मिलने के बाद भी आपको यहां इस सदन में बहुमत मिल सकता है और इसलिए यह कहना कि ब्रूकि आप इस सदन में बहुमत में हैं इसलिए इस कानून को जिम तरीके से चलाना चाहेंगे, चलायेंगे, मे समझता हूं कि यह कोई अच्छी बात नहीं होगी।

इस सरकार की ओर से अक्सर कहा गया है और हमारे प्रधान मंत्री महोदय ने भी इसको कहा है कि जनतांत्रिक व्यवस्था पर चलते हुए हम विरोधी दलों को भी अपने विश्वास में लेना चाहते हैं। मैं आपसे कहना चाहता हूं कि यह एक मौका है जब आप विरोधी दलों को अपने विश्वास में ले सकते हैं। मैं पूछना चाहता हूं कि विरोधी दलों में क्या कोई एक आदमी भी ऐसा है जो यह कहने को तैयार है कि वह इस कानून के हक में है? मैं तो कहना चाहता हूं कि बहुत से कांग्रेसी सज्जन तक इस कानून का समर्थन नहीं करते और इसका विरोध करना चाहते हैं। जब ऐसी हालत हो कि नमाम विरोधी दल एक सिरे में दूमे सिरे तक इस कानून के खिलाफ हो तब आप रुक कर क्यों नहीं सोचना चाहते और क्यों नहीं उनसे इस सम्बन्ध में परामर्श लेते? इसलिए मैं चाहूंगा कि इस पर आप विरोधी दल वालों के विश्वास में हैं, उनकी बात को सुनें और उसके बाद अगर फिर भी आप इस बात के लिए तैयार न हों कि यह कानून बिलकुल दृष्ट कर दिया जाय तो इसमें जो बांछनीय परिवर्तन हो सकते हैं वे तो किये



[श्री बजर्राज सिंह]

चास सकते हैं जैसे इसकी मियाद ज्यादा से ज्यादा तीन महीने के लिए बढ़ा दी जाय। दूसरी चीज यह की जा सकती है कि जिस किसी आदमी को इस नज़रबंदी कानून के मातहत डिटेन किया जाय उसे उसी वक्त प्राउन्ड्स आफ डिटेनशन दे दी जाय और उसे जल्द से जल्द ऐडवाइजरी बोर्ड के सामने पेश कर दिया जाय। इस तरह की बातें में समझता हूँ कि बहुत आसानी से की जा सकती हैं और ऐसा करने से कोई नुकसान होने वाला नहीं है।

जो आकड़े यहाँ प्रस्तुत किये गये उन से मालूम होता है कि ३१ मार्च १९५६ में ३१ अक्टूबर सन् १९५६ तक १२ आदमी ऐसे थे जिनको कि बाहर के देशों से अनुचित सम्बन्ध रखने और यहाँ अवाछनीय कार्य-वाहिया करने के मिला मिल म नज़रबंद किया गया, बाकी ऐसे लोग थे जिनका कि यहाँ के अन्दरूनी मामलों में सम्बन्ध में डिटेन किया गया जैसे कि कलकत्ते में दामव ५ किराये में एक पैसे की कमी, आन्दोलन, संयुक्त महाराष्ट्रीय समिति द्वारा किया गया आन्दोलन, राजस्थान में भुम्बाभिया का आन्दोलन तथा पंजाब में चल रहे हिन्दी आन्दोलन के मिलमिले में जिनको पकड़ा गया है। अब यहाँ तक पंजाब में जा हिन्दी आन्दोलन चल रहा है में उस आन्दोलन का गहन जानना है और मेरी राय में इस आन्दोलन ने दक्षिण भारत में हमारी राष्ट्रभाषा हिन्दी के प्रति बहुत गहन भावनाएँ पैदा की हैं लेकिन मैं उसका साथ ही साथ यह भी निवेदन करना चाहता कि जब आन्दोलन के चलाने वाले हिंसा में विश्वास नहीं करते हैं और अहिंसा के तरीके से इस आन्दोलन को चलाना चाहते हैं, भले ही वह आन्दोलन चलन हो, तो उसके लिए हम जनता में जाकर उसके खिलाफ प्रचार कर सकते हैं और जनता का उस आन्दोलन में भाग न लेने और उससे दूर रहने के लिए कह सकते हैं, लेकिन यह तरीका न अपना कर उस आन्दोलन को खत्म करने के लिए हम इस नज़रबंदी

कानून का सहारा लें और उनको जेलों में रख दें, मुनासिब बात नहीं होगी। कल हमारे श्री शर्मा ने बतलाया कि १२५ आदमियों को इस कानून के अन्तर्गत नज़रबंद किया गया और जिनमें से कि ६० आदमियों को छोड़ दिया गया है।

उपस्थित महोदय . माननीय सदस्य अब खत्म करने का यत्न करें क्योंकि अभी इस पर बहुत से मेम्बर साहबान बोलना चाहते हैं।

श्री बजर्राज सिंह . मैं शीघ्र ही अपनी बात समाप्त करने का यत्न करूँगा। हाँ, तो मैं पंजाब में चल रहे हिन्दी आन्दोलन के सम्बन्ध में बतला रहा था कि जहाँ तक पंजाब के लोगो का सबाल है मुझे सूचना मिली है कि उनमें से एक भी नज़रबंदी का कस ऐसा नहीं है जिसका कि ऐडवाइजरी बोर्ड ने या हाईकोर्ट ने अप्पेटेंड किया हो। यह ठीक है कि हमारा उनसे मिद्वान्त में मतभेद हो सकता है लेकिन यह तो उचित नहीं है कि जो अहिंसक आन्दोलन चल रहा हो उसका खत्म करने के लिए हम लोगों का इस कानून के अन्तर्गत पकड़ पकड़ कर जेलों में रख दें।

हमारे माननीय गृह मंत्री ने उत्तर प्रदेश में साशनलिस्ट पार्टी द्वारा किया गया आन्दोलन की ओर इशारा किया था और उन्होंने कह दिया कि उत्तर प्रदेश में साशनलिस्ट पार्टी हिन्दी के प्रश्न पर आन्दोलन कर रही थी। लेकिन मैं बतलाना चाहता हूँ कि साशनलिस्ट पार्टी का आन्दोलन सिर्फ हिन्दी के बारे में नहीं था बल्कि वह आन्दोलन ज़मीन का फिर से समुचित रूप में बटवारा कराने के लिए आन्दोलन था, १ और १० का फर्क आमदनीयों में रखने के लिए और देश और प्रदेश में व्यापक रूप में फैले हुए अष्टाक्षर के विरुद्ध वह आन्दोलन था और उसमें साथ ही साथ आन्दोलन करने का यह भी एक कारण था कि उत्तर प्रदेश जहाँ कि राष्ट्रभाषा हिन्दी है और जहाँ कि सारी जनता हिन्दी भाषा भाषी है,

वहाँ पर सारा शासन का कामकाज हिन्दी में नहीं चलाया जा रहा और अगर वहीं पर ऐसा न हुआ तो फिर सन १९६५ तक हिन्दी को उसकी माकूल जगह पर कैसे प्रतिष्ठित किया जा सकेगा, तो इन सब बातों को लेकर सोशलिस्ट पार्टी द्वारा वह आन्दोलन चलाया गया था। मैं निवेदन करना चाहता हूँ कि जिस तरीके से आप शासन को चलाना चाहते हैं उससे आपका शासन चलने वाला नहीं है और उस तरीके से आपके खिलाफ लोगों के दिलों में भ्रान्तियाँ पैदा होती हैं और ऐसे लोगों को शरारत करने का मौका मिलता है जो कि हिंसा को प्रश्रय देना चाहते हैं। हम इस मुल्क में हिंसा को कदापि प्रश्रय देना नहीं चाहते। आप भले ही हम पर कितना ही जुल्म करें और दमनकारी नीति अपनायें हम हिंसा को नहीं अपनायेंगे लेकिन उसके साथ ही साथ मैं यह भी स्पष्ट कर देना चाहता हूँ कि जो भी जनता की तकलीफें होंगी और मुर्बाबते होंगी, उनका खान्मा करवाने के लिए हम अहिंसात्मक आन्दोलन करेंगे और जनता को ऊँचा उठाने के लिए सामूहिक सत्याग्रह भी यदि आवश्यक हुआ तो करेंगे और व्यक्तिगत सत्याग्रह भी करेंगे। इन शब्दों के साथ मैं यह कहना चाहूँगा कि देश की जनता की आस्था कम से कम विधान और जनतंत्र में रखिये।

अन्त में मैं सेंसर्बर डिक्शनरी में से उड़ाइट फेप की जो व्याख्या दी गई है उसका पढ़ कर सुनाना चाहता हूँ :

"A member of a self-constituted vigilance committee who, under the guise of purifying the morals of the community, deals violently with persons whom they disapprove"

आप जनता में और अपने में विश्वास रखिये और इस नजरबंदी कानून की प्रवृत्ति को और न बढ़ाइये। मेरा यह कहना है कि सिर्फ इसलिए कि आपके कोई खिलाफ विचार रखने वाले हैं, आप उनको नजरबंद करने की कोशिश मत कीजिये।

**Acharya Kripalani (Sitamarhi):** Mr. Deputy-Speaker, after my last speech in this House, I have become a little nervous in criticising the Government. Though I was not present on the next day, I hear that it was said that my presence in this House was due also to Congressmen. I am very thankful to Congressmen. I feel that if Congressmen supported my election, in spite of the opinion of some of the leaders about me they seem to have a sneaking regard for my past. I do not know whether this non-opposition was meant as a sop to me. Of course, it is very natural for those who are in power to suppose that every man has his price. But, even so, I am afraid the bait was too small for a big fish and one that has rejected bigger baits before.

**Pandit Thakur Das Bhargava (Hisar):** Can anybody think about you like that?

**Acharya Kripalani:** I am only replying to what was said here.

It is a matter of great sorrow to me that Congress should be associated with a law like this; such laws, when we ourselves were down, in former times, we called as lawless laws and black Acts. History has a painful way of repeating itself. Often it has been found that those who have been suppressed and oppressed when they come to power themselves become the instruments of suppression and oppression. It is just like what happens in family between the mother-in-law and the daughter-in-law. The daughter-in-law is suppressed. But when she becomes the mother-in-law she behaves in the same fashion as the mother-in-law behaved towards her.

Sir, when this Bill was first introduced by late Sardar Vallabhbhai Patel, he introduced it for one year. Then he said that in introducing it he had passed many sleepless nights. As I reverently listened to the speech of the present Home Minister, for whom I have great regard, I thought, that he had not lost even one wink of his sleep.

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He talked very eloquently of fundamental rights and of the freedom loving nature of those who framed our Constitution. But, he said, even these honourable people who had just attained their freedom made a provision for an emergency. May I submit, Sir, that the emergency for which they made the provision was foreign war or civil war. I hope, nobody believes today that we are engaged in a foreign war and engaged in a civil war. And, I do not know of any democratic country where such an Act is in existence twelve years after the war is over.

Then, we were told that nobody would say that the purpose or the purposes of the Bill are not desirable. What are these purposes? Peace, tranquillity, progress of the nation. These are certainly very desirable aims. Sometimes I have heard people say that they have to support their families, they have to support their old parents, therefore, they take bribes. The aims are very laudable but the means are very low. So, the aims may be very laudable but the means may be low. The Father of the Nation taught us the doctrine of making the aims high and the means pure. I submit, the aims of the Government are very high but the means they have adopted are not in the tradition of our struggle for independence or the democracy we are supposed to enjoy.

He (the Home Minister) also, as a great lawyer, found fault with the Anglo-Saxon jurisprudence, under which he had been practising law for many years, and discovered that this Anglo-Saxon jurisprudence requires centuries of experience to be established in the country. The British people did not wait for centuries of experience when they introduced this scientific jurisprudence in India. That jurisprudence, I hope the Law Minister will bear me out, is more scientific than what prevails anywhere in the world.

He (the Home Minister) again says that it is not an Act that punishes anybody; it is only preventive. Preventive of what? Preventive of the evil propensities of evil-doers. I had heard that in law an evil-doer is one who is adjudged to be an evil-doer. But, here our Home Minister, our Government, wants to prejudge the issue. Nobody can be considered guilty until he is found to be so in a properly constituted court of law, where if he chooses he is defended by lawyers, and also he is able to cross-examine witnesses. I do not know what could be a greater punishment for a citizen than to suppose that he is an evil-doer before he has been adjudged so by a competent court of law.

He (the Home Minister) says that this Act is necessitated because our people have no respect for law and order and in England what the constable orders is obeyed. I have not seen a country where what the constable orders is not the law for the time being for the people, and especially so in the villages. And then, are we a lawless people? In the whole world we are considered to be mild Indians. But now we have become lawless. We were mild Indians under the foreign Government. How did it happen that we became lawless so soon?

Our Home Minister said that there may be few agitators, but thousands are excited. I am reminded of the old days when we were in slavery. The same argument was put forth by the British Government that there are a few agitators who excite thousands, and that these agitators are perverse; they are wrong, they are misguided hence repression is justified.

When somebody asked why was Kazhgham leader not arrested for preaching murder, the reply that the Home Minister gave was very interesting: "because the Opposition Members would say that this Preventive Detention Act was being utilised

and they would have criticized this"  
I am very glad to know.....

**The Minister of Home Affairs (Pandit G. B. Pant):** Did I say that? I think there seems to be some misunderstanding. I do not remember having said those words; I have no such impression.

**Acharya Kripalani:** Then, I would drop that argument.

**Pandit G. B. Pant:** Someone said that yet this Act was not applied. Then I said in reply: "From that I infer that you would have liked this Act to be applied." That is what I said.

**Acharya Kripalani:** May be like that. I only want to say that, I feel that this means, that the Act is not being applied because we would not have liked it to be applied. Anyway, I thought, that there were enough provisions in the ordinary law to deal with such cases. Why should not the leader of the Kazhgham be dealt with under the ordinary law if he incites people to murder? I am afraid, the reasons are political. He commands the vote of certain tribes or castes, and there are some people in the Government in the South who need these votes.

The Home Minister also told us that fish-plates are being removed on the railway. I thought this matter was the subject of an enquiry, it has not been yet proved, and this point was also raised earlier in the House that it is premature to say whether really fish-plates were removed in a recent accident on the railways.

Then he told us how revolutionary movements like the Sin Fien movement have to be dealt with in India. I thought he was a very good student of history and has great knowledge of history. To compare conditions in India with conditions in Ireland under a foreign government is absurd. It surprised me that such arguments are given to bolster up this lawless law.

I will not go into all the provisions of this Act, but I would only point out that the safeguard of an Advisory

Board is illusory, because no legal assistance is allowed, and the promise of judicial use of the Act is falsified in many cases. This is borne out by several judgements of the High Courts and the Supreme Court. It is also borne out recently by what is happening in connection with the language agitation in the Punjab.

You know, Sir, very well and the House knows that I have never participated in any language controversy even when it has been raised by my party men. Why I have done so is not because the language question is not important, but because I feel today the only important question in the country is the hunger of the people when they are not getting even two square meals a day. Here under this Government the poor are denied that; and the middle class people who care for liberty and whose stomachs are full, they are denied their liberty.

Here are certain instances. I may not agree with the agitation that is going on in the Punjab. But a great philosopher said, "I may abhor the views of my opponents, but I would defend the expression of them, the free expression of them, with my life". So I say I do not agree with what is going on, but I cannot help giving certain examples that have been supplied to me from the Punjab.

In one case the ground for detention given was that the person donated blood for transfusion to one who had smashed his left arm while being removed to the police van after offering satyagraha. In another case the victim has been told that "You said that Hindi was the language of the Sikh Gurus even. To prove your assertion you said that the Vichar Natak written by Shri Guru Gobind Singh was in Hindi. You also argued that the Sikhs and Hindus were one and the same and that they were being separated now by certain Akali leaders to maintain their leadership. You condemned"—mark the words—"You condemned the alleged throwing of cigarettes in the holy Sarowar

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in Darbar Sahib and also condemned the alleged tearing of some leaves of certain religious book. You said that such mischievous acts should be condemned by all. You said that they could never and would never permit such things to happen".

This is also a ground! The man is preaching that these things should not be done. The man is saying that the scriptures should not be dishonoured. The man is saying that the Sikh Gurus used the Hindi language and that Sikhs and Hindus are brothers. That is also given as a ground for detention. There are various other instances. As the Deputy-Speaker has said that my time is limited, I will not quote them. But I would quote at least the judgement of the High Court in some of these cases.

**Shri Ajit Singh Sarhadi** (Ludhiana): On a point of explanation, may I know whether the hon. Member has read the entire text of the grounds or is picking out a sentence devoid of the context?

**Acharya Kripalani:** I said 'some of the grounds'. I did not say that these are all. But if people have an imagination that these can be given as grounds, as even one of the grounds. I say there must be something wrong in somebody's brain. You will excuse me, I never said that these are all the grounds; I said these are some of the grounds. Donating blood for transfusion is also one of the grounds. I said it shows that such mentality exists in our executive that even humanitarian things are put in as grounds for detention.

Here is what the High Court says at least in one of the cases that I have given:

"It cannot be assumed as a matter of course that the detaining authority exercised its mind in an intelligent manner in regard to the case against the detenu, and inasmuch as it did not do so, it

cannot be said to have acted in law honestly.

In this case I have not been able to discover even one solid reason which I can say is free from extraneous construction. In the circumstances of this case I find that both the reasons and the grounds are vague, foreign and extraneous to the purpose of the Act."

Of course, the great debater that the Home Minister is, I will be told by him that this is an isolated judgement, that human intelligence is fallible and all that sort of thing. But I ask, how many people can afford to go to the High Court? It is only a very small microscopic minority that would think of going to the High Court in appeal. Most of them have not the wherewithal to do that. Many times legal advice is not available. No legal advice is available to those who are detained under this Act. Then I say, how can care be exercised in the administration of this Act when ordinary care is not exercised in ordinary police and criminal cases?

I will give an instance, a very glaring instance, of how even in ordinary criminal case, ordinary care is not exercised either by the police or by the judiciary. I am sure the House will be interested in knowing how the criminal law is administered in our country. I would like to read out some portions of the proceedings at the Lucknow Bench of the Allahabad High Court in a *habeas corpus* petition challenging the arrest and detention of Dr. Lohia.

Mr. Justice Beg said: "The whole point is if the accused is not produced before a magistrate, then the whole case put up by the authorities is a fabrication. I want to be satisfied on this point."

The City Magistrate was called, and he said that he followed Dr. Lohia after his arrest to the Kaiser Bag

police station where he signed the remand order.

"Justice Beg: Where was Dr. Lohia when you signed the remand order?"

City Magistrate: He was in the police van. I did not call him in my room.

Justice Beg: Did you explain the ground of his arrest?

City Magistrate: Yes; I explained to him at the sales tax office (where he was arrested), but I do not exactly remember whether I mentioned the grounds in the remand order. I also did not give any reason for the remand."

The City Magistrate also stated that the police van was there when he signed the remand order in his room. He did not remember whether the van was visible from his seat; as he had seen Dr. Lohia in the van while entering the police station, he presumed that he was there while remand proceedings were held. The City Magistrate added that he did not inform Dr. Lohia that he was going to sign the remand order.

Mr. Justice Mulla asked if a second order remanding Dr. Lohia to jail custody had been issued after the expiry of the initial order up to November 16. The police prosecutor said that as a matter of practice the hearing dates put on the intermediate warrants by the trying magistrate served as subsequent remand orders.

"Mr. Justice Mulla: From the dates mentioned on the intermediate warrants, you infer that the accused is to be kept in jail and produced in the court on a particular date. There should be a very clear order that the accused should be kept in jail custody. There could not be any question of inference.

Police Prosecutor: This is the practice prevalent in the U.P. jails."

I take it it was also the practice prevalent when our Home Minister was the Chief Minister of U.P.

"Mr. Justice Beg: The detention of a person is a very, very serious matter and law is strict on these points. If it is the practice, I am not going to be a party to it. After Article 21 of the Constitution, a regular procedure has been established by law and this is an enacted law. If this practice is prevalent, it is very dangerous.

Police Prosecutor: I have been instructed to say that such practice remains in vogue.

Justice Beg: But is there any factory manufacturing such rules? What is the significance of judicial proceedings if such practice remains in vogue. On orders of interim warrants, reasons are to be given. An order does not mean filling of dates only. I am very sorry, I will not be able to accept your contention. Mr. Public Prosecutor, your order sheet starts from November 18 I have begun doubting the genuineness of the order sheet. The whole thing is fictitious."

Referring to the last order of November 30 on the intermediate warrant, Mr. Justice Beg asked where was the order for remand.

"Public Prosecutor: Not to my knowledge.

Mr. Justice Beg: The order of November 30 says, accused refused to make a statement. Where is the remand order? This is forgery; no order at any stage.

Public Prosecutor: This is an unhealthy practice.

Mr. Justice Beg: Not only unhealthy: this is no practice at all. Who invented it, how a court tolerates it? Mr. Public Prosecutor, you move for the cancellation of the whole Constitution and



[Acharya Kripalani]

then everything will become legal."

It is this that is being done, I am afraid, by this Act.

"Mr Justice Beg: Whichever position you take, you cannot follow it up till last. Not one thing is wrong. It is a chain of mistakes, one after another. Everything is wrong. Every provision of law has been contravened."

This is what happens in the case of an important political leader who was with us in the freedom fight. What must not be happening in the case of ordinary citizens, especially the ignorant villagers?

As the Bill is meant to deprive the citizen of his right of free and fair trial, as it is against all that we have stood for before independence, I hope that even now wisdom will prevail and the Bill will be dropped. It reduces the whole Government to a police State.

**Shri P. E. Patel (Mehsana):** This Bill is trying to inject life into the dying preventive detention law. The reason for this was given, that in Madras there is the Kazhagam party which burns the Constitution and insults the national flag, and also burns the photographs of Mahatma Gandhi. These things are very bad. No nation can tolerate these things, and the burning of the Constitution is treason to the country; an insult to the national flag is an insult to the honour of the whole nation. This cannot be tolerated, I do admit. Our flag is the emblem of our nation's honour, and nobody can be allowed in this country or anywhere else in the whole world to insult our honour, our national flag.

But I want to know one thing: whether our ordinary law, our penal law is not sufficient to check these things. Is it necessary that there

should be preventive detention law? My submission is that the preventive detention law has not been used for the purpose when these things happened in Madras. Naturally, it goes without saying that if they could be checked by this measure, the whole House will support it, but giving such incidents as an excuse it is no use giving life to this lawless law.

Another thing has been said that in Ramanathapuram there was a very bad incident, a sad incident, between *suvarnas* and Harijans. In our country, whether he is a Harijan or a Brahmin, full protection should be given. Nobody can harass anybody because he belongs to a certain caste, and that cannot be tolerated. In this House and even outside a judicial enquiry has been demanded and it has been urged that a judicial enquiry should be set up. Why is it denied? To require preventive detention law for this purpose is an excuse. It has not been properly used. Under the guise of the law, one of our MPs, our friend, has been detained. I am told that he sacrificed his whole property for the uplift of the Harijans. An M P has been detained. Who else will not be detained? Let there be a judicial trial against him if he has committed any offence. Why should the MPs' and MLAs' be detained? I think this is misuse of the law and does not give credit to the Government.

We know that the detention law helps nobody. We know that in 1942, our Kashtrapita was detained; our great Pandit Jawaharlalji was detained and so many others also. I was also detained by the Baroda Government for 8 months. We know that those persons who detained us could not keep the power and had to leave the country and leave the power and hand over the power to the persons who were detained. So, detention law helps nobody and I do not think it will help this Government.

The detention law was used in 1942, for law and order, in defence of the country, in defence of the State. The State was not defended. Peace and order was not restored. It was restored only when the proper remedy was applied and the proper remedy was to give independence to the country.

In our country, after democracy, after independence, there may be troubles here and there. Just for these trouble you cannot use the detention law. Let us find out what the disease is and apply the proper remedy. Instead of applying the proper remedy, if you use the detention law, I think, it will rather increase the disease than cure it.

I do not know why our Home Minister, a veteran soldier of independence fight, has a love for this detention law. Because he was detained and he had also to suffer the detention law, has he a love for it? I do not understand. My submission is that experience will tell him that the detention law which did not help the British Government, which did not help the Native States of our country, shall not help the Congress Government any longer.

The detention law has been misused. I will give only three instances. My friend, Shri Nathwani, yesterday spoke very eloquently in favour of the detention law and he referred to the elections in Gujarat. May I just remind him of Chiang Kai-Shek and the Chinese elections of 1948? He must be knowing....

Shri Nathwani (Sorath): On a point of information, Sir. I want to know whether my hon. friend is reading his prepared speech because I did not refer to Gujarat elections. I do not know what made him refer to it.

Shri P. R. Patel: In 1948 Chiang Kai-Shek was returned to power with a majority of 96 per cent.

Mr. Deputy-Speaker: Shri Nathwani says that the foundation on

which this argument is based is not there.

Shri P. R. Patel: My submission is that he referred to Samyukta Maharashtra and also Maha Gujarat and he said, I remember, that the people there were for a bilingual State and not for Maha Gujarat, as the election results showed.

In 1948, Chiang Kai-Shek was returned to power and these Chinese\* at the time said, "See we are voted by the people. So the people are with us and they are behind us."

Subsequent events showed that in China Chiang Kai-Shek was loved by one and all but his party was despised. Because of his party he had to leave China and seek shelter in Formosa. So, election results do not mean that the people are behind you.

But, I would only refer to three cases wherein there was misuse of the detention law.

Shri B. S. Murthy: Is the hon. Member answering Shri Dange's claim that people are behind him?

Mr. Deputy-Speaker: Let him continue; then we will know what he is answering.

Shri P. R. Patel: The detention law was used in 1949, November-December against some 5 gentlemen at Radhanpur. They were detained because their activities were against the interests of the country. It was alleged that they were Pakistanis working for Pakistan. They were detained. But, when the elections drew near, these persons were required by the Congress and by wireless they were released and they straightway went to Radhanpur and were the great supporters of the Congress in the elections. So, I would submit that the detention law is used to convert people to Congressism. And, that was done in the case of Radhanpur.

\*Expunged as ordered by the Chair.



[Shri P. R. Patel]

I will give very briefly another case. In 1950, or perhaps, 1951, 4 persons of Valam, a village in Mehsana district, were arrested under the detention law. The reason given was that the people did not come forward to give their statement to the Police. They detained them for three months. I had an occasion to discuss this matter in the Bombay Assembly and I gave the dates. A police officer of the rank of the Assistant D. S. P. had been to the village and the persons—the complaint and his witnesses—had approached the Police officer and the Police officer recorded their statements. And four days after, these persons were detained on the ground that the people did not come in to give statements to the police. I gave the date when the police recorded the statement, I gave the date when those persons were arrested and I gave the date also when the detention grounds were furnished to those persons. And their reply was—it was by the then Chief Minister—that they were detained because their names did not appear in the statements. Because of it they were detained. In this case, can anybody be detained? Then, what to say about this preventive detention law?

13 hrs.

What did these people do? These people opposed the Congress and voted against the Congress in the election. But in this election they had been converted to Congressism. I shall only give a third instance in brief and that too happened in Ahmedabad. There, the Maha Gujarat movement was carried on, and some persons, say, about 20 or 21 persons, were detained under the law. They were invited by the District Magistrate to discuss certain matters, and they had been taken into custody from that place, and sent to Poona. Some persons were called to the chowky. They came with only a shirt and nothing more. They were detained and sent to Poona.

I was detained in August, 1942, and that was by the Baroda Government. It gave me two hours to be ready and allowed me to talk with my family members, for tea and dinner and everything. I was not eloped in the way the Maha Gujarat workers were eloped, and then the grounds were given: that they instigated some persons in throwing stones—instigated—for, they were not present. Their presence is not established and it is not said that they were present at the time. They instigated—wherefrom and which way? Nothing absolutely was said. They had been detained. They had been detained at the time when the election date was drawing near. They were detained with one view: that those people may not be of any use in election to the Maha Gujarat side. If this detention law can be used this way, then, we have to say that this is only a guise to put down the political parties or anybody who opposed the Congress.

Lastly, I beg to submit one thing

Mr. Deputy-Speaker: That "lastly" should be a short one

Shri P. R. Patel: Yes I would submit one thing. This lawless law is a black spot on our democracy. When there are so many penal laws, what is the need of this special law? This law is given life from year to year. If the Government thinks that this law is essential and without this law they cannot survive, I would advise them to give it a long life, whole life, full life. Let it be an ordinary law. But what is the good of getting one year, and then two years and then three years? Perhaps the Government after three years may come with a request to have three more years.

This is a kind of fraud on the people. They say that this is to meet any emergency. But where is the emergency? Are we in a war now? Are we in a civil war? Are we attacked from any side? What is it? So, I submit that this law is unnecessary, and I oppose it.

**The Minister of Law (Shri A. K. Sen):** I rise to oppose some of the unfair remarks addressed by the hon. Shri S. A. Dange while he spoke in opposition of the motion moved by the hon. Home Minister. His first charge was that this is an instrument for perpetuating what he calls the rule of one party. And he says that everyone who opposed the Congress is shut behind the prison under the powers conferred by the Preventive Detention Act.

I wish more facts were placed and some proofs were laid in support of that unjustified remark. I wish to place one fact which will show with what fairness the Congress administration has utilised this very great power during the time of the bye-election caused by the unfortunate death of our late-lamented friend, Dr. Shyama Prasad Mukherji. Shri Sadhan Gupta, who spoke yesterday in opposition, was a candidate for the Communist Party of India from what is called the south-west parliamentary seat of the City of Calcutta. His opponent was Dr. Radha Vinod Pal, a very well-known scholar of West Bengal. He was Congress candidate. After the bye-elections were over, or possibly during the bye-election—I forget the exact point of time—one person who was the leader of the basti called the Oriya Bara Basti in Bhawanipur was arrested by the Government of West Bengal. The very first ground supplied was, that during the bye-election caused by the death of Dr. Shyama Prasad Mukherjee, at the head of some Congress volunteers attacked the Communist procession taken out to support Shri Sadhan Gupta. If the papers are wanted they may be shown. I have seen them myself. There was representation to the Congress Government from the Congress organisation but this man was not released. He was kept in prison for one full term of one year.

I wish such examples are reciprocated by those who oppose the Congress, the Congress organisation and the Congress Government, with all

sorts of mala fide motives and with all sorts of designs. I am hoping for an echo coming from the south-west corner of India to reciprocate such acts which would not favour even supporters if they contravene the law or threaten the life and property of peaceful citizens. There have been rumblings heard for quite a time, of threats to life and property and security from some part of South India. I wish such actions are followed there so that we have a good democratic convention worth following.

Mr. Dange, leader of the Communist Party said this Act was not employed to detain hoarders, black-marketeers, etc. A voice shouted—an irresponsible one—"Congress hoarders". It is said that only those oppose to the Congress are detained. This argument suffers from a basic fallacy. It is this. So long as hoarding is an offence, so long as essential goods are controlled, can there be any contravention of hoarding laws? If there is de-control, if the entire commodity market is de-controlled, there is no law prohibiting the purchase of goods by a trader and selling them at a profit; and if a man is detained for that, the court will set him free. During the time when control was in operation, when textile commodities, foodgrains and other essential goods were controlled, instances have been many where the Congress Government has detained persons who had indulged in black-marketing or who had been trying to contravene these control regulations.

I have one reported case here in which I appeared for the State. A man was detained on the ground that he was regularly supporting an organisation trafficking in essential commodities like cloth and foodgrains in contravention of the control regulations. The case went up to the High Court on the ground that the acts mentioned did not infringe any existing law and that black-marketing as such was vague, hoarding as such was vague. The High Court, of course

[Shri A. K. Sen]

sustained the order for detention. This is only an instance to show that when control regulations were in fact in operation, we had detained people when we had sufficient evidence of their underground and local activities.

The next point made by the hon. Member, Mr. Dange, was this. What is the use of this Preventive Detention Act? It does not stop crimes. They are still perpetrated. If that argument is to be followed logically, the whole set-up of criminal law is to be scrapped. The Indian Penal Code has been in operation for over a century and yet crimes have not been stopped. Murder is punishable by death or by penal servitude for life.

Shri Mahanty (Dhenkanal): Are they preventive? Those laws are not preventive.

Shri A. K. Sen: The argument is preventive of such fallacies.

Shri Mahanty: They are not at all preventive.

Shri A. K. Sen: The hon. Member has not comprehended the analogy between the two cases. The argument proceeds on somewhat the basis that preventive detention may be passed as a species of crime. This has been held by one judge as a new entrant into the gallery of crime. The object may be the same—preservation of security of life and property and maintenance of order.

12.03 hrs.

[MR. SPEAKER in the Chair]

That is the object both of substantive criminal law as also the Preventive Detention Act.

Coming back to what I was speaking about before the interruptions came, I was saying that if that argument was logically followed, the Indian Penal Code has to be scrapped, the Indian Arms Act has to be scrapped, the Foreign Exchange Regulation Act

has to be scrapped, the Sea Customs Act has to be scrapped; all those laws which have created crimes have to be scrapped because these crimes are committed even now. At the same time, all those who do not believe in decent life should be allowed to live and continue their dangerous activities. This is no reason why there should not be a law which seeks to preserve order and security in society under circumstances in which it may be difficult to achieve that objective by prosecuting persons who had already committed crimes. Circumstances may be many. Even in England in the Defence of the Realm period persons were detained under the Defence of the Realm Act.

An Hon. Member: That is during emergency and war.

Shri A. K. Sen: There may be emergencies where villages after villages are looted either in the name of religion or fanaticism.

Shri Braj Raj Singh: You call this an emergency?

Mr. Speaker: Is this a discussion?

Shri A. K. Sen: This is an expression of tolerance.

Mr. Speaker: What is all this? Let there be no interruption. When hon. Members are developing particular arguments, either on one side or the other, there should not be constant interruptions. I am really surprised at this. Can there be only one side of the picture? Should there not be an explanation or an answer to everyone of those points that have been raised? Should we not understand the other man's viewpoint? Are we not all the representatives of the people? We have to decide the matter after hearing both sides. I cannot allow this kind of interruption. I would not like any interruption from now. So far as interruption is concerned, I find that more is from my left than from my right. Let hon. Members exercise a little more patience. Whatever points they want

to make, let them make when they get an opportunity. Or let them coach their spokesman to explain their viewpoint. I will give opportunity to all, as far as it is possible.

**Shri A. K. Sen:** We have become used to this expression of intolerance.

**Mr. Speaker:** Is the hon. Minister inviting comments?

**Shri A. K. Sen:** As I have said, I was trying to meet the argument as to why the Preventive Detention Act becomes necessary to meet certain circumstances, to prevent things from happening rather than take up the cudgels after the thing has happened. That is the principle behind the Preventive Detention Act.

There may be questions as to whether in individual cases there has been misapplication or not. I have not the slightest hesitation that our Government and our party led by the Prime Minister, and the Home Minister, shall set their face against any abuse of any power, if it is brought to their notice; so would any responsible member of the Government or any responsible officer of the Government. There is no country where any law has worked without some abuse somewhere. If that were not so, laws would have been infallible, procedure would have been infallible and the word "fallibility" would have gone out of our dictionary.

The next point of attack was about goondas being arrested. The hon. Mr. Dange said that he does not know what a goonda is and that in the name of goondas various decent people have been arrested. Possibly, goondas are not well-defined. But that is more easily understood. A new species of crime has now come into existence in some countries. It is called deviationism, under which all sorts of people are clubbed together and, possibly, in some places condemned to hard labour or even to death by secret trials. We understand goondalism perfectly well. There have been Goonda Acts before the Preventive Detention Act.

As far as my personal knowledge goes, there have been some people arrested under the Preventive Detention Act on the ground that they have been indulging in goonda activities. Several cases had come up to me from my constituency. The relations of the detenus had come and said that they had been arrested on the false testimony of outsiders, who bear grudge against them. I know two cases I have investigated them myself because I carried the representation before I was elected to this House. There were 150 petitions to the police, saying that these two persons used to come regularly in the evening and extract tolls from shopkeepers. Whoever refused to pay toll was beaten up or otherwise assaulted and life and property had become insecure. Well, when I carried this representation, the Commissioner of Police told me: you quietly go and ask the shopkeepers of the Bazaar whether it is true or not; if I were satisfied that these men could be let loose without harm to the public, he would do so. I did go to some of the shopkeepers and they protested against any idea of these two men being released. And, as far as I know, they were not released.

There may be cases, as I said, as in the case of every law, where possibly by some mistake, some people have been detained, who may not be really guilty of the offences mentioned in the grounds. That is why law has set up an advisory body consisting of judges of High Court status. If we cannot believe in those judges, I don't suppose we can entrust this with anyone else.

Then, an unfortunate reference was made by Mr. Dange to the unveiling of the statue of Chhatrapathi Shivaji. I have not appreciated the relevance of that in the context of the present subject. Nevertheless, Mr. Dange has traversed a long field, the substance of which was one continuous tirade against the Congress and the Congress alone and its leaders. I do not believe the Prime Minister needs anyone to

[Shri A. K. Sen]

defend him. But we are obliged to him for the great courage he has shown in acknowledging his mistake—at least what he calls mistake. There are others who do not acknowledge their mistakes as mistakes, and stick to them. But, I know, certainly of the party of Mr. Dange which has itself acknowledged honourably mistakes committed by it. Recently, sometime back, I read an article in one of their papers which said that their stand on the 1942 Movement was a blunder. I am glad that they call it a "blunder" now. I am glad for the courage they have shown in calling it a blunder, because, so far as most of us are concerned, we are really shocked to recall the policies pursued by Mr. Dange's party during the 1942 movement. It is not necessary to go into the bickerings of the past. I admit that they can acknowledge a blunder; but when we acknowledge our mistakes we commit a very great crime. Anyway, I have not appreciated the relevancy of this argument so far as the Preventive Detention Act is concerned.

Mr. Dange has referred to his own case. I should have thought it better to leave out personalities in this House. It is always odious to deal with personalities. I shall be very happy if it is proved that all the grounds which are mentioned in the order of detention of Mr. Dange were not correct. For, I shall hate to think that he, a very honourable gentleman, should be guilty of any of the grounds which might sustain an order of detention.

But, nevertheless, considering personalities apart, can one forget the unfortunate incidents which occurred in Bombay and Maharashtra. Of the Maharashtrians every Bengali is proud. So am I. Every Indian is proud. The whole of India owes a deep debt to the valour, patriotism and intelligence of the Maharashtrians. It is difficult to conceive of Shivaji as the leader of the Maharashtrians. His stature will be really

dwarfed if the Maharashtrians claim him exclusively; it is a treasure for the whole country.

Shri Jadhav (Malegaon): Recent discovery!

Shri A. K. Sen: Possibly he was not born when we had first organised Shivaji's Birthday Anniversary.

Mr. Speaker: I have repeatedly requested hon. Members to hold their soul patiently. How do these interruptions increase the importance of the debate?

An Hon. Member: These are spices of the debate.

Mr. Speaker: Then spice alone would remain. No food would be there.

Shri A. K. Sen: Sir, I hope we shall soon forget the incidents when brothers stabbed brothers, friends struck at friends forgetting that they are all proud sons of India and they ought to resolve their disputes amicably and peacefully. I hope these incidents, which sully the honour and dignity of our nation, will never occur again. But, if they do occur, as they still occur in some parts where villages are burnt in the name of religion or community, I have not the least doubt that the Government owes a duty to the people to take all necessary powers in their hands and stop these traitorous activities.

With these words I want to conclude excepting to express again that it is distasteful to anyone who has to deal with powers like those contained in the Preventive Detention Act—as the hon. the Home Minister himself said that no order has been passed by him unless he has gone into every case carefully and with scrutiny. Possibly many of the judgments quoted by Acharya Ji had been delivered before the matter went upto the reviewing authority, upto the Home Minister or to the responsible ministers, otherwise I have not the least doubt that if the facts were as stated

the Government and the reviewing authority would have equally frowned upon them. That is why the reviewing authorities, that is why the Minister, that is why the responsible officials are put at the top to administer the Act.

Sir, the last matter on which I should like to touch upon is the reference to the burning of the Constitution and the burning of the National Flag. Mr. Dange said "what does it matter if a few copies of the Constitution are burnt, a Constitution which has undergone three amendments in three years, possibly more amendments." Sir, the law prohibiting such acts is not the Preventive Detention Act at all. The law seeks to punish those who burn the National Flag or burn the Constitution. The law is not for detaining these persons. That again was irrelevant for the purpose of the present debate. But since the point has been raised it calls for an answer. It is shocking to find people still in India who do not take pride in our Constitution. It is shocking to find men still in India who feel complacent at the sight of people burning their National Flag dyed crimson by the blood of a million martyrs, which has been won by the sacrifice of countless patriots. It is necessary to reaffirm again that so far as the Congress Party is concerned they will fight till the last to preserve the honour of the Constitution, and we will condemn and condemn and condemn again those who do not take pride in our National Flag or in our Constitution. They are traitors, they are not the proud sons of India, and for them the Constitution is not meant nor the protection of the Flag. There is no crime worse than this. There is nothing more responsible than this that a son of India does not take pride in his own Flag, does not take pride in his own Constitution under whose protection he leads his daily life, under whose guiding principles he earns his daily bread.

So far as the Government is concerned, I have not the least doubt that

they will take all necessary steps to prevent these foul activities. Personally speaking, if I take recourse to violence I shall hate myself. But, I shall strive my utmost to mete out rigorous punishment for sully the honour of the National Flag or for burning the Constitution. (Interruption).

**Mr. Speaker:** It is very embarrassing to the persons speaking where some principle is involved. I would like to give opportunity to the leaders of every group or their spokesmen and according to the time allowed they are entitled to participate or not. Therefore, elbowing others is not good, but if there is more time I will give them opportunity. I will call Shri Vajpayee, Shri Matin and Shri Mahanty who come from independent group. After exhausting these three names if there is still some time I shall give opportunity to others; otherwise I will call upon the hon. Home Minister to reply.

So far as clauses are concerned, whoever has not taken part in the general discussion, I will give him opportunity to speak. There is not much difference between the Clause and the Act. In the Third Reading I will bear in mind those hon. Members and those parties who have sufficiently talked. Shri Mahanty.

**Shri Mahanty:** Mr. Speaker, Sir, Indeed it is deeply tragic that when the country looked forward to the extension of the frontiers of democracy and socialism in this country, the party in power has come to this House with an obnoxious Bill of this description.

The statement of objects and reasons which has been appended to this Bill is cryptic and authoritarian. It merely states that "it has been found from experience that the extension of this Bill is necessary and, therefore, it has to be extended." No objective facts have been furnished to us to justify this extension of preventive detention. But whatever facts have been furnished, they tend to show that the



[Shri Mahanty]

extension of preventive detention is by and large unnecessary.

There have been protestations that this Act has been used with restraint, with consideration. The hon. the Law Minister, in his usual lucidity, has also emphasised the fact that this Act has never been misused. This morning a previous speaker has already quoted the opinion of the Punjab High Court. I would quote here the verdicts of two other High Courts which would prove beyond any shadow of doubt how this Act has been misused.

I would quote from a verdict of Justice Misra of the Patna High Court in the case, *Sitaram Kishore versus the State of Bihar*. This man was put under preventive detention because he criticised the Prime Minister of India. He gave expression to his own personal opinion about the Prime Minister of India, and that was made a ground for preventive detention. The hon. Justice Misra held:

"In the present case, however, all the grounds which I have scrutinised above are so vague as to make the detention order void from the date of service of the statement of the grounds, and in fact most of the grounds have no rational probative value, being wholly irrelevant to the maintenance of public order or security of the State".

This is a case which has been reported in the *All India Reporter*, 1956 and the Government could very well go into this case, as has been reported. But I would like to know, since when expression of personal opinion about the Prime Minister of India has been considered a crime. If that is not totalitarianism and authoritarianism, then I do not know what it is. It is therefore not merely an issue between liberty and authoritarianism, between law and order and anarchy, but it is something much more: it is an issue between the whims and caprices of the party in power, the whims and caprices of the petty police officials and the liberty of the people.

Now I am coming to another case which was considered by the Bombay High Court, by Chief Justice Chagla. The case is *Bal Kishen versus Commissioner of Police*. I would quote here what the honourable Bombay High Court has held:

"Therefore, in our opinion, the order made by the Police Commissioner is bad by reason of the fact that an important ground mentioned, is not a correct ground, also by reason of the fact that we are satisfied that the detaining authority did not and could not apply its mind to the relevant circumstances which are required by law, and finally for the reason that the approval given by the State Government not being a proper approval, in any view of the case the order of detention cannot subsist beyond the period of twelve days mentioned in sub-section (3) of section 3."

I have no time. Otherwise I would have quoted many other instances to prove that this Act has been misused. —I would not say by the Home Minister, but by a most power-mad executive that gets tipsy with the little power that you put in their hands. I am therefore of the opinion that the Bill has been misused and is not at all necessary in the given context of things which are obtaining today.

At this point of time it is both interesting and unstructive to go to the genesis of this Bill. Not very long ago, in 1952, when the predecessor of the hon. the Home Minister, Dr. Katju, moved the Preventive Detention (Second Amendment) Bill for consideration in this House on 17th July 1952, he gave the rationale for this Bill. He said, "This Act is intended for suppression of communism". Sir, this Act was originally framed for suppression of communism, according to the Home Minister of India. Well, I am no great defender of communism, nor do I have great love for it. But the fact has to be remem—

bered that this Act was piloted and passed in this House for suppression of a political party, and that is the Communist Party of India. Once again I would repeat what the hon. Dr. Katju had said on 17th July, 1952. He said that this Act was intended for suppression of communism.

From this the House can very well infer whether there is any validity in the protestations of the hon. speakers on that side that this piece of legislation has no political motives. They had better ask their own conscience, instead of giving us a reply.

The hon. Dr. Katju as a very imaginative person—I came to know him when he was the Governor of Orissa; he is an extremely imaginative person—and he enumerated the following elements which constituted a threat to the security of India: (a) communists, (b) communalists, (c) the Princes and (d) the dacoits.

Now, the communists today are the best allies of the party in power. In Orissa they have helped to keep a party in power which was discredited in the last elections. Today the communists in Orissa are the best props of a discredited Ministry. In Kerala, if the news reports are correct, they have swelled the ranks of the Bhoo-dan movement of Vinoba Bhave. Sir, it is a very happy sign indeed. I am not criticising the communist party for that. I welcome their change of heart. But then this rationale is removed. The communists today are their best friends. Therefore, the communists have to be eliminated from the picture. But it is not merely a question between the Communist Party of India and the Government. But in view of the change of heart of the communists, the communists have to be removed from the scheme of this Bill.

Then come the communalists. I owe an apology, but truth must be told, however unpleasant it is. Those who have gone through the report submitted by Shri Pataskar to the Congress Party regarding what happened during the Second General

Elections in Bihar must have known that not only communalism but casteism has gone so deep down into the ranks of the Congress that, if you want to search for it you do not have to go elsewhere but to the Congress. Therefore, the Communalists are also gone.

Now come the Princes. You can very well count how many Princes are sitting on that side of the House and how many on this side. Not only are the Princes joining the Congress Party but they are joining the Ministry. In Orissa there are more Princes in the Congress Cabinet than one can possibly imagine.

Therefore, in view of the change of heart of the communists and the joining of the communalists and the Princes in the Congress and the elimination of dacoits, I do not know what justification there is for this Bill. According to the yard-stick that was laid down by Dr. Katju, the *raison d'être* for this Bill does not exist now.

Our hon. Home Minister—I have a great regard for him—says that today unless this kind of legislation were to exist on the statute-book of India, the communal riots of the Ramanathapuram description will bring national democracy into danger. I think that is the only burden of his argument, that if this were not to exist, then the communal riots of the Ramanathapuram variety will lead this nascent democracy into peril.

But in all humility I would like to ask him how many persons had been kept in detention in Ramanathapuram in connection with this riot. I know in his own inimitable way he dodges questions. If a question is uncomfortable he says the question has not much strength. But I would like to know from the Government how many persons have been kept in detention in connection with the Ramanathapuram riots. So far my information goes, only one person was kept under detention, but subsequently he was charged under the ordinary law, the Penal Code, and therefore, today not single person is under detention in



[Shri Mahanty]

connection with these riots. That only proves our contention that the ordinary law of the land is strong enough to deal with such affairs for which you need not take recourse, to an extraordinary legislation of this variety.

With these remarks I would come to the review of the working of the Act from 1st November 1956 to 30th September, 1957 which would suggest that this Act is largely unnecessary. The total number of persons detained according to the blue book which has been circulated to us is 282, out of which the break-up is: persons detained with a view to preventing persons from acting in any manner prejudicial to defence, relations with foreign Powers and security of India is only 26. The rest are for goondaism, for preaching violence and all that. So much emphasis has been laid on the fact that unless this Act were there, the security of India will be in danger, but I would like to know from the Government how many persons are kept under detention for the security of India. Only three. For defence purposes it is 18. Nobody knows what is the real nature of the cases. Be that as it may, but do you want this extraordinary piece of legislation for only 26 persons? If that is so I would most humbly request you to quit your power and get out.

Mr. Speaker: Why does he ask me to do so?

Shri Mahanty: Not you, through you I am asking the Government which cannot keep only 26 persons, hardly two dozens, under control with a military force for which we are spending more than fifty per cent of our revenues, and with all the police forces that the Government can command. If they cannot control only 26 persons, it is better they quit and make way for other persons who will be able to keep them under control without having recourse to this kind of extraordinary legislation.

Out of these 28 persons, 17 were already under detention on 30th September, 1956. Therefore, only nine

persons have challenged not only the security of India, but the very ideological basis of this Government.

I would like to ask the hon. Home Minister whether India has not ratified the convention....

Mr. Speaker: The hon. Member should conclude now.

Shri Mahanty: I am just concluding in two or three minutes.

Mr. Speaker: Each hon. Member takes two or three minutes more. There is no time.

Shri Mahanty: Only one minute.

Today we are celebrating the universal declaration of human rights. I would like to know from the Government whether they have not ratified the universal declaration of human rights. If so, I would most humbly invite their attention to article II of the Human Rights Charter which enumerates.

"Every one charged with a penal offence has the right to be presumed to be innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence."

Article 9 says

"No one shall be subjected to arbitrary arrest, detention or exile."

The Government of India have ratified this declaration of human rights. I would like to know from the Home Minister if this Bill does not violate the very fundamentals which have been enumerated in that Charter. If that is so, it will be open to us to say to the people that all these protestations about human rights, about liberty, about equality, about socialism are merely for external consumption, but for internal consumption what is meted out to us is preventive detention without trial.

With these words I oppose the Bill, and we consider it our political duty not only to oppose the Bill here but outside as well.

भी बाबवेजी (बलरामपुर) : अध्यक्ष महोदय, नजरबन्दी कानून की प्रवधि को बढ़ाने के बारे में हम कोई भी विचार करें, हमारे सामने तीन सवाल प्रमुख रूप से खड़े होते हैं। पहला सवाल : क्या बिना मुकदमा चलाये किसी व्यक्ति को जेल में रखना धर्म-पूर्ण और उचित है ? क्या वह लोकतंत्र की रूढ़ि धारण का भावना के अनुकूल है ? दूसरा सवाल : क्या देश में ऐसी परिस्थिति है जिसका सामना करने के लिए सरकार को ऐसे असाधारण अधिकार दिये जाने चाहिए जैसे कि यह कानून प्रदान करता है ? तीसरा सवाल : क्या पिछले सात साल का अनुभव यह बताता है कि सरकार ने इस कानून को सौच समझ कर काम में लाया है, जहाँ और जिस मात्रा में उसका उपयोग होना चाहिए था, वहीं और उसी मात्रा में उसका उपयोग किया है ?

जहाँ तक सिद्धान्त का सवाल है, कोई भी व्यक्ति इस बात का मानने में इन्कार करेगा कि बिना मुकदमा चलाये किसी का नजरबन्द करना या बिना मान्य बनाये किसी को गिरफ्तार करना यह लोकतंत्र की भावना के अनुकूल है। रूढ़ि धारण का अर्थ यह है कि प्रत्येक व्यक्ति को अपनी स्वतंत्रता का उपभोग करने में उस समय तक अधिकार होना चाहिए जबतक कि वह किसी सामान्य कानून का उल्लंघन नहीं करता। यहाँ कारण है कि बिना भी मुख्य श्रेण में बिना मुकदमा चलाये नजरबन्द करने का कानून नहीं है। लोकतंत्र में ऐसे कानून के लिए कोई स्थान नहीं हो सकता। और सचमुच में यह कानून जो पिछले सात साल से हमारे देश में चल रहा है लोकतंत्र की जड़ पर कुठाराघात है, नागरिक स्वाधीनताओं का घमन करता है, व्यक्तिगत स्वतंत्रता को हनन करता है, यह भारतीय जनराज्य के मूल्यों पर कलंक का टीका है। यह सरकार के लिए लाञ्छन है और भारतीय जनता के लिए एक चुनौती है।

मैं सदन का समय उन बातों को बहुराज्य में नहीं लूँगा जो कभी स्वर्गीय पंडित मोतीलाल नेहरू ने या आज के प्रधानमंत्री पंडित जवाहर लाल नेहरू ने कही थीं। मन् १९२९ में जब कांग्रेस ने यहाँ एक पब्लिक रिकॉर्डिंग बिल लाया, जिसका सम्बन्ध केवल विदेशियों से था और उसमें बिना मुकदमा चलाये नजरबन्द करने की व्यवस्था की गयी थी, तो विदेशियों के लिए लाये गये बिल को भी स्वर्गीय मोतीलाल जी नेहरू ने यह कह कर ठुकरा दिया था कि हम किसी को भी बिना मुकदमा चलाये नजरबन्द करने के सुझाव का समर्थन नहीं कर सकते। पंडित जवाहरलाल जी ने भी मन् १९३६ में इस बात को स्वीकार किया था कि जो सरकार बिना मुकदमा चलाये किसी व्यक्ति को नजरबन्द करती है उस सरकार को रहने का अधिकार नहीं है।

कहा जा सकता है कि समय बदल गया है। बल के जो विरोध थे वे आज शामक बन गये हैं। कुर्मियां बदल गयी हैं मगर सिद्धान्त नहीं बदल सकते। व्यक्तिगत स्वाधीनता आज भी उतनी ही अनमोल है और उस स्वाधीनता के अपहरण के लिए कोई भी कदम उठाया जाये उसका उम्मीदगार से विरोध किया जाना चाहिए जितना कि परार्थ नता के बाल में बिधा गया। विदेशी सरकार को माफ किया जा सकता है ऐसा कानून बनाने के लिए जो हमारी भाजार्दी का आदर नहीं करती थी। मगर हम अपनी सत्ता को स्वतंत्रता के काल में ऐसा कानून बनाने का अधिकार नहीं दे सकते जो उस सरकार के लिए भी शोभाजनक नहीं है। लेकिन कहा जाता है कि परिस्थिति बदल गई है। आज देश में कहीं बाह्य शक्तों को मारने की धमकियाँ दी जा रही हैं, कहीं संविधान जलाने की बात कही जा रही है और कहीं पर भाषा का विवाद खड़ा हो रहा है। मैं प्रष्टता हूँ कि क्या यह परिस्थितियाँ इतनी गम्भीर हैं कि उनका सामना करने के लिए ऐसा कानून चाहिए ? क्या आज देश में संकट की स्थिति है ? क्या

[श्री बाजपेयी:]

संकट की स्थिति मद्रास में घोषित की गई है ? आज देश में संकट की स्थिति नहीं है । पाकिस्तान के साथ युद्ध की स्थिति भी नहीं है, युद्धविराम की स्थिति है और हमारे कांग्रेस के नेता कहते हैं कि गकिस्तान हमारा मित्र है, पंचशील के बंध का जाप किया जाता है, शान्ति के कद्दूर उड़ाये जाते हैं । फिर अगर संकट नहीं है तो किस कल्पित संकट का सामना करने के लिए यह हथियार तैयार किया जा रहा है ? इतना बड़ा देश है, इतनी बड़ी जनसंख्या है, इसमें कुछ तो विवाद चलेंगे ही, जहाँ अधिक बर्तन हाते हैं वहाँ बें बटकते ही हैं । इसके अतिरिक्त मद्रास में या पंजाब में जो भी परिस्थिति पैदा हो गई है उसी लिए हमारी सरकार और सत्तारूढ़ दल अपने को उसकी जिम्मेदारी से मुक्त नहीं कर सकता । आज जो मद्रास में और तामिलनाडु में विधान जलाने की बातें कह रहे हैं और काकाओं का मानने की धमकियाँ दे रहे हैं, उन्हीं के समर्थन के बल पर और उन्हीं के सहयोग के बल पर आज कांग्रेस सत्ता के सिंहासन तक पहुँचा है । चुनाव के दिनों में यह लोग कांग्रेस का समर्थन कर रहे थे । उन्होंने कांग्रेस के मंच पर छात्र माधन दिया । उन्होंने मद्रास के आज के मुख्य मंत्री का खुला समर्थन किया । आज वह अपने समर्थन की कीमत माग रहे हैं । कांग्रेस को दिये गये सहयोग का आज वह मूल्य माग रहे हैं और इस लिए विधान जलाने की बातें की जा रही हैं ।

पंजाब में जो कुछ हो रहा है उसके लिये भी कांग्रेस अपनी जिम्मेदारी से मुक्त नहीं हो सकती । उस आन्दोलन के साथ किमी का मतभेद हो सकता है लेकिन इस आन्दोलन की पृष्ठभूमि में अगर हम जा कर विचार करें तो यह दिखाई देगा कि कांग्रेस पार्टी ने जिस तरह से अकाली दल के साथ एक समझौता किया, बन्द कमरे में बैठ कर, उसी का यह परिणाम है कि आज पंजाब के हिन्दू कांग्रेस के विरुद्ध खड़े हो गये हैं । मैं

आप से निवेदन करूँगा और कमाला अर्चित राम ने भी इसे स्वीकार किया कि आज पंजाब के हिन्दुओं का कांग्रेस विश्वास खो बैठी है । यह विश्वास वह किस लिये खो बैठी है ? भारतीय जनसंघ ने क्या उसके लिये कोई प्रयत्न किया ? उसका कारण यह है कि जिस ढंग से अकाली दल के साथ समझौता किया गया उससे पंजाब के हिन्दुओं के हृदय में यह बात घर कर गई है कि कांग्रेस उनकी उपेक्षा करती है । जो समझौता किया गया उस की कौपी प्राप्त करने के लिये पंजाब के एक वीर नीजवान को अपनी जान हथेली पर रख कर मृत्यु हठान करनी पड़ी तब कहीं जा कर वह तथाकथित रीजनल फारमूला प्रकट किया गया । रीजनल फारमूला का जो विरोध हो रहा है उस विरोध को आप नज़रबन्दी कानून से दबा नहीं सकते । दमन भाग में आहुति का काम करता है । अगर अंग्रेजों का दमन कांग्रेस को नहीं दबा सका तो कांग्रेस का दमन भी आज धार्मिकमाज और उसके माधियों को नहीं दबा सकेगा । लोग लड़ते हैं और जेल जाते हैं जब जेल के बाहर रहना उन के लिये असम्भव हो जाता है ।

पंजाब में ११३ व्यक्ति नज़रबन्द बनाये गये । कम माननीय दातार साहब ने जिस तरह से आंकड़े दिये उसके बारे में मुझे आपत्ति है । कुल मिला कर ११३ व्यक्ति नज़रबन्द बनाये गये और उनमें से ८० आदमी एंडवाइजरी बोर्ड ने छोड़ दिये, क्यों छोड़ दिये, क्योंकि उनके ऊपर झूठे आरोप लगाये गये थे । मैं इस घबराहट पर उन तमाम झूठे आरोपों को जिनका कि मेरे मित्रों ने बिज्ञ किया है, दुहराना नहीं चाहता । लेकिन रोहतक के श्री क्याम सुन्दर कतिहार का केस में आप को बतलाना चाहूँगा जिन पर कि यह आरोप लगाया गया कि उन्होंने ६ अक्टूबर को रोहतक की एक सभा में भाषण दिया जबकि सच्चाई यह है कि

कि १ अगस्त को वे जेल में बन्द थे। जब वे जेल में बन्द थे तो उन्होंने ने भाषण किस तरीके से किया ?

**एक माननीय सदस्य :** जेल में किया होगा।

**श्री बाजपेयी :** इसी तरह मैं दूसरा केस जिसमें श्री अर्जुन और प्रताप के संस्थापक और मंचालक महाशय कृष्ण को भी नजरबन्द किया गया और उन पर आरोप लगाया गया कि उन्होंने मई १९५६ में जालन्धर की एक गुप्त बैठक में भाग लिया और जिस बैठक के बाद पंजाब में दंगे हुए। यह आरोप जब उन्होंने जेल में पड़ा तो घर वालों को उन्होंने चिट्ठी लिखी कि मैं तो मई १९५६ में जालन्धर गया ही नहीं। नजरबन्दों की चिट्ठियां सेंसर होती हैं और वह चिट्ठी सेंसर ने पढ़ ली और उसको ले कर पंजाब सरकार के सचिवालय में रूसबनी मची। उन्होंने बाद में एक दूसरा करेशन दिया कि मैं १९५६ में जानवर नहीं गया था बल्कि १९५७ में जानवर गया था, यह करेशन तो उन्होंने दे दिया लेकिन जो दंगे वाली बात थी उसको नहीं बदला और हकीकत यह है कि मई मन् १९५७ के बाद पंजाब में कोई दंगा नहीं हुआ। महाशय कृष्ण जी ने कहा कि मैं तो घर पर किसी गुप्त बैठक में जाऊँ या तो भी वह गुप्त नहीं रह सकती कारण मैं काफी उच्च सुनता हूँ। मुझे अगर किसी को कोई बात सुनानी होगी तो मुझे इतनी जोर से बोलना पड़ेगा कि बैठक की सारी गुप्तता खत्म हो जायेगी। यह बात सब लोग जानते हैं लेकिन यह बात बायबे आप के गुप्तचर विभाग वाले नहीं जानते और उसका परिणाम यह है कि उन को जेल में रखा गया।

कल यहाँ पर ऐडवाइजर बोर्ड का बड़ा तारफ़ का गई था। मैं पूछता हूँ कि क्या कोई प्रान्तीय सरकार ऐडवाइजर बोर्ड कायम करने में इतना देरी करेगा जिसकी वजह से कि इस बारे में पंजाब गवर्नमेंट के

की और जिसका कि मतीजा यह हुआ कि ६०, ६० और ८०, ८० दिन तक ऐसे लोगों को जेल में बन्द रहना पड़ा जिनको कि ऐडवाइजरी बोर्ड ने छोड़ दिया। पंजाब के ऐडवाइजरी बोर्ड के जस्टिस खोसला ने इस्तीफ़ा दे दिया है। उन्होंने ऐडवाइजरी बोर्ड से क्यों इस्तीफ़ा दिया है? उन के इस्तीफ़े के कारणों पर जो आपका पर्दा पड़ा हुआ है उस पर्दे को हटाया जाना चाहिये। पंजाब में जिस तरीके से न्यायानियों के कामों में हस्तक्षेप किया जा रहा है, मेरा सन्देह है, कि उसी के विरोधस्वरूप उन्होंने इस्तीफ़ा दे दिया। अगर इन कारण नहीं दिया है तो माननीय गृह मंत्री इस सम्बन्ध में उस स्थिति को स्पष्ट करें। ऐडवाइजरी बोर्ड जो नजरबन्दी के कारण दिये जाते हैं, उनकी वह में नहीं जा सकता। वह अपग ई और प्रभावी नहीं है। मुझे फिर स्वर्गीय पंडित मोती लाल नेहरू का वह भाषण याद आता है जो उन्होंने पब्लिक सिस्पोरिटी ऐक्ट पर दिया था। उन्होंने कहा था कि आप ऐडवाइजरी बोर्ड दे दीजिये चाहे प्रिवी काउंसिल दे दीजिये लेकिन जब तक बहस करने का अधिकार नहीं होगा, जब तक गवाहों को क्रॉस एग्जामिन करने का अधिकार नहीं होगा, जब तक आरोप के मुल में जाने का अधिकार नहीं होगा तब तक वह प्रिवी काउंसिल या ऐडवाइजर बोर्ड कुछ नहीं कर सकता। इन परिस्थितियों में मैं आप से फिर निवेदन करूँगा कि इस नजरबन्दी कानून का ख़ुला दुरुपयोग किया गया है, यह सत्ताधीशों के हाथ में ऐसे अधिकार रखना है जिसमें लोकतंत्र सुरक्षित नहीं रह सकता। मुझे यह कहने में बिल्कुल संकोच नहीं है कि पंजाब में जो कुछ हुआ है वह सारे देश के लिए एक चेतावन है और हमारे गृह मंत्र महोदय को उसे चेतावन के रूप में लेना चाहिये मगर तो कहना है कि अगर किस व्यक्ति को हम ना बन्द कानून के अन्तर्गत पंजाब में नजरबन्द करके जेल में बन्द किया

[श्री बाजोंबी]

आमा चाहिये तो वह व्यक्ति पंजाब के मुख्य मंत्री सरदार प्रताप सिंह कैरों हैं जिन्होंने कि हिटलर की भाष को ताजा कर दिया है लेकिन उनकी तो पीठ बपबपाई जा रही है और उनकी प्रशंसा के पुल बांधे जा रहे हैं और एक ऐसा कानून गढ़ा जा रहा है जिसको कि अगर उनके हाथ में रख दिया गया तो पंजाब के लोगों की स्वाधीनता समाप्त हुई समझो। किसी व्यक्ति को बिना मुकद्दमा चलाये जेल में बन्द किया जाये, ये इस का समर्थक नहीं हूँ, न सिद्धान्त में और न व्यवहार में। मेरी समझ में जो देश के सामान्य कानून है, वे पर्याप्त है। अगर देश में कोई सफ़्ट की परिस्थिति पैदा होती है, तो इमरजेंसी घोषित कर दी जाय और अगर पार्लियामेंट नहीं है तो आप प्राडिनेंस बना सकते हैं। अगर सामान्य कानून प्रभावी नहीं है पर्याप्त नहीं है तो आप उन कानूनों में संशोधन कर सकते हैं लेकिन इस तरीके का कानून लाने की आवश्यकता नहीं है।

14 hrs.

मैं एक बात और कहूँगा। कल हमारे गृह मंत्री महोदय ने कहा था कि अपराध कम हो रहे हैं और उसके उत्तर में कम्युनिस्ट पार्टी के लीडर श्री डांगे ने कहा था कि अपराध कम हो रहे हैं, इस का कारण नजरबन्दी कानून नहीं है। कुछ दलों में अपनी नीतियां बदल ली हैं और उस का नतीजा यह है कि अपराध कम हो रहे हैं। मैं समझता हूँ कि दोनों ही बातें ठीक हैं। अपराध कम हो रहे हैं और कुछ दलों ने अपनी नीतियां बदल ली हैं। हमें इस बदली हुई परिस्थिति में इस पुराने कानून की व्यवधि को बढ़ाने का, और वह भी तीन वर्ष के लिये बढ़ाने का, कोई औचित्य नहीं है। सरदार पटेल एक वर्ष और बढ़ाने की बात से कर धाये थे। आज उसे तीन वर्ष के लिये बढ़ाया जा रहा है, यह अनावश्यक है। मैं समझता हूँ कि अगर हम देश में राष्ट्र के निर्माण के लिये सहयोग का वातावरण

पैदा करना चाहते हैं, तो उस सहयोग का आधार यह नजरबन्दी कानून नहीं हो सकता। देश की योजनायें आज सभी वर्गों के सहयोग की मांग करती हैं। अगर नजरबन्दी कानून की तलवार सटका कर, हमारे सिर पर, अगर आप सहयोग चाहते हैं, तो इस तरीके से राष्ट्र का निर्माण सम्भव नहीं है। अभी समय है, इस काले कानून को वापस ले कर हमारी सरकार इस बात का संकेत दे सकती है कि वह सचमुच में हमारा सहयोग चाहती है।

Mr. Speaker: I shall call Shri Qazi Matin and then a representative of the Hindu Maha Sabha

Shri Qazi Matin rose.—

Mr. Speaker: Not now I said I shall call them during the debate on the clauses. It is always the same debate and the same things may be repeated there also I must give an opportunity to the Hindu Maha Sabha and to the Independent Group and also to the Kashmir group, and then to others if there is time. Now, I request the hon Home Minister to speak.

Pandit G. B. Pant: Since I last spoke a number of speeches have been delivered. I had the opportunity of listening to them and I have done so with utmost attention. I do not think it is necessary for me to reiterate even in a brief way the main points which I had urged yesterday. I wish it had been possible for me to say that in view of the arguments that have been advanced, I feel that there should be a change in the law or that this Bill need not be proceeded with. In fact, the result has been just the contrary. If I had sought for any argument in support of a measure like this, I would say that the speech of Shri S. A. Dange would provide sufficient material for the continuance of this measure.

Shri Dange says, "Do not worry about the burning of the Constitution; do not worry about the smashing of

the statutes of Mahatma Gandhi; do not bother if they are torn down to pieces and thrown away, and if people go on preaching that certain people should be murdered, do not be unduly upset over it. Let these things be either ignored, or, so far as the last thing is concerned, let the usual procedure of law be adopted". But so far as the other matters are concerned, he could not attach any significance to them. He thinks of the Constitution—"Oh, what is it? It is something to which you may owe allegiance, about which you may take an oath in this House, but still, let it be trampled upon. Do not bother about it".

**Shri S. A. Dange** (Bombay City—Central): May I be permitted to make one point of personal explanation? I maintained that these things are wrong, but they should not be fought through the means of such police Acts and that they should be fought politically, philosophically, by going to the people and converting them to our opinion. I therefore submit that the interpretation put by the hon. Minister on my speech is not correct.

**Pandit G. B. Pant:** Well, we should try to convert all people to the right path. But whether we should let people preach murders, till we have been able to convert them to the path of peace, seems to me to be rather a doubtful way of tackling a serious matter. Similarly, nobody has any objection and I agree, and concede, that efforts should be made to convert the misguided people. I would not say that all are amenable to reason. I wonder if Shri Dange would easily respond to any efforts made in order to bring him to the right path, but still, effort should be made, and one should not feel helpless at any stage.

But what is to be done in the meantime? "In the meantime, all these orgies should continue; they should be allowed to have the heyday and a holiday. You need not bother about it". Well, I am afraid that there can be very few in this country who can subscribe to that doctrine.

There are other lands, I think, where even if one had said a word against the idol of the people his neck would not have been allowed to remain on his shoulder. But what others do is hardly relevant.

Then there was another thing which he said. "What would have happened," he said, "if the 20,000 people or, for the matter of that, one man, had been going to a place, and then what would the Prime Minister have done?" I wonder what the question was. Then you imagine a country in which a Prime Minister who goes to perform a solemn function is to be the victim of a demonstration by people who are gathered together, not to welcome him but in a way to use words like "Go back; if not—"

**Shri Nath Pal** (Rajapur). This is not what they said.

**Pandit G. B. Pant:** I did not say that these words were used, but the demonstration was not a friendly one.

**Shri Nath Pal:** It was a peaceful and disciplined one.

**Pandit G. B. Pant:** If it was a friendly one,—

**Shri Nath Pal:** It was most orderly and it was most justifiable.

**Pandit G. B. Pant:** I did not say that it was disorderly.

**Shrimati Parvathi Krishnan** (Coimbatore): And most patriotic.

**Pandit G. B. Pant:** I said it was not friendly. I think, if I am corrected and I am told that it was a friendly demonstration meant for according a welcome to him, I will accept the correction, and I would be happy. But that was perhaps not the case. But can you imagine any country in the world where people assembled like that, simply because the Prime Minister had been associated with the implementation of the decisions of Parliament regarding a certain matter? We were told that we do not know much about democracy. There were some words of ridicule used even

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about the conferences that are being held in the neighbourhood of this House. Some of the hon. Members from the opposite side sneered over the idea of having such conferences even. Well, what is democracy, I do not know. But we were told that the decisions of the majority should be flouted—I do not think any other interpretation can be placed,—because a section of the people in a particular place do not agree to a decision taken by Parliament, therefore, every step should be taken, direct action should be resorted to, in order to prevent, to flout, the implementation of the wishes of Parliament.

Shri Nath Pal: No such thing was attempted.

Pandit G. B. Pant: I am glad to know that. But what is the position? So far as the Bombay State is concerned, the facts are well-known. They have been reiterated here again and again. We were told that it is only to carry out the wishes of the Congress party that this Act has been used and this is being designed. I have not heard yet of a single instance in which this Act has been used in order to bolster up the Congress Party; not a single case has been mentioned, in the course of the discussions of two days, in which this Act has been used against anyone for expressing opinions, whether of one type or of another, whether in accord with the principles of the Congress or contrary to that.

So, in the circumstances, to say that this Act is being now placed before this House for approval in order that the Congress party's wishes may be carried out is, I submit, utterly baseless. Well, here is this Parliament and this Parliament took a decision. So far as the particular matter relating to Bombay is concerned, the initiative was in fact taken by hon. Members who did not belong to the Congress, and every member of this House, to whichever party he belongs....

Shri Nath Pal: They did not represent the sentiments and the will of the people of Maharashtra.

Pandit G. B. Pant: Every member, besides the members of the Communist party, supported that proposal. Now, here I am not questioning anything that may be said about the sentiments of the Maharashtrian people. Well, there were members from Maharashtra who were parties to it. But, leaving that alone, what I am saying is this. Here is a decision of a majority, a majority not consisting of one party, a majority which consisted of the members of all parties excepting the Communist party. They were all parties to this decision and those in the opposition were hardly, I think, one-tenth of those who supported the motion. Yet, we are told that democracy demands that such a decision of Parliament should be resisted by all possible means.

I do not know what is their idea of democracy. And, in the circumstances, if that is the attitude of leading Members of Parliament towards the decisions of Parliament, towards the laws framed by Parliament, I wonder how we can avoid recourse to such laws as will enable Government to carry out the wishes, the mandates, of Parliament. I think if any argument were needed, it is provided there. It is said that the decisions were not the agreed views of some people somewhere. Well, we in this House know, and it must be accepted, that regarding many matters, there may be difference of opinion. All are not of one view. Otherwise, there will be no need of a Parliament. It is there to consider things in all its aspects and then to take certain decisions. Still, there may be room for the revision of those decisions, for the reconsideration of those decisions.

But democracy cannot function if the qualities of tolerance and patience are lacking. If those who differ from the decisions take to ways and means which are altogether unparliamentary



and unconstitutional, then no Parliament can effectively perform its duties; no democratic institution can serve any useful purpose.

Weil, Mr. Dange perhaps stands for dictatorship of the proletariat. I think I am not misrepresenting him. I, perhaps, might also say that he is not wedded to the creed of non-violence. He would adopt such methods as are necessary for achieving such ends in which he has faith. I think I am not misrepresenting him anywhere.

**Shri S. A. Dange:** You are.

**Pandit G. B. Pant:** Then I would like to know in which respect. Anyway, there it ends. Now, what I say is this. Dictatorship and freedom are incompatible. They are contradictory terms. So, we do not think in terms of dictatorship, whether of a majority or of a minority. We are only a Government by discussion, by persuasion, by conversion, maybe....

**An Hon. Member:** by preventive detention.

**Pandit G. B. Pant:** Also by the use of such methods as become unavoidable for protecting the vast masses against those who are determined to create trouble and to disturb public peace and tranquillity. What I was saying was that dictatorship is very different from parliamentary Government and we cannot think in those terms.

But supposing there is a difference of opinion over any matter. Then, those belonging to the minority in Parliament have every right to convert those who are not with them, to their point of view. But they have to do so in a constitutional manner, not in manner which will disturb public peace and tranquillity and which will prevent the fruition of those very objects which they may have in view.

So, in all these things, it is necessary that above all peace and tranquillity should be maintained. But, nor that, so that you may achieve what you desire, a little patience is necessary. As I said, there are laws

passed by Legislatures because the majority wants such laws to be passed. A minority may come into power and they may be able to convert others to their point of view, they may be able to convert the majority itself to their point of view, and if they succeed in that, a decision can be reversed. It can be reversed at any time. The people responsible for imposing a wrong decision can be thrown out at the election and others can take their place. (Interruption). I do not quite follow the words that are being uttered. But, I may say that these are the ways of democracy and these have to be followed if we are to adhere to Parliamentary system of government.

We are told that we are departing from the traditional method of judicial trials. Let us not deny that to some extent this Act does make a departure from the usual procedure, but those fundamentals of dictatorship are entirely foreign to any idea of parliamentary administration or judicial administration of the proper type. They fall in a different category altogether. Here you say that a man is detained because he says something which is likely to lead to violence. But, in some places, if a man were to say a word against the Government or to say a word which would in any way be regarded as an insult to the principal leaders of the nation he would not live for a day more; he would cease to exist. We are told that we are trying to serve the ends of our party. At least we have allowed more parties to exist. In this country there are parties other than our own. They are functioning, and they are functioning with ease. Without any sort of handicaps they have as much of freedom to speak as they like as others have. So, if those who cannot tolerate or think of the existence of any other party, feel or somehow give it out that whatever action we are taking is only in the interest of our Party, I am not surprised, because they think only in terms of their party and no other party in the world. They think all



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others function like that. It is a reflection of their own mind. In the circumstances, I think, so far as this Bill is concerned, it has received an enormous amount of support from the attitude shown by Shri Dange in the course of his speech.

He also referred to his detention in last January and also to the Advisory Board. The Advisory Board has made certain observations. I do not know whether I should read the whole of it, but I will read out only one or two paragraphs. It says.

"There is a limit beyond which even a tolerant mob, schooled to behave peacefully under provocation, cannot be pushed. If the leaders believing in their powers of control, thought that they could curb lawlessness, once it was set loose, they were proved to be sadly mistaken by the orgy of bloodshed and loot, which Bombay has witnessed. It has not been denied before us that Bombay was treated to the degrading spectacle of incitement by speeches of ignorant and also lawless citizens, into attacking the law-abiding section of the population. Politicians and labour leaders who masqueraded behind their party and trade union labels cannot escape blame for the consequences of their acts. The plea of 'peaceful protests' with 'peaceful marches' would not in the least alter the effect of the speeches, which were calculated, in our opinion, to instigate breach of the orders of the Police Commissioners."

"We have already expressed our view that in the state of intense passion raging in the city such incitement was extremely dangerous and served as a spark to the combustible atmosphere."

Shri Nath Pal: That is not correct. It was Mr. S. M. Joshi who staked his life to save the life of one of your police officers from the hands of an angry crowd. It was not incitement to violence.

Pandit G. B. Pant: I am not giving my opinion. I am only quoting from a record.

Shri Narayanankutty Menon (Mukandapuram): May I know what is this document and whether this document will be placed on the Table of the House.

Pandit G. B. Pant: Certainly, it will find a place on the records of the House. There are many other documents connected with it.

Shri Dange: You can read only parts which suit you.

Pandit G. B. Pant: I have absolutely no objection. It is not my habit to read only parts which suit me. I want to place all parts before the House and also.

Shri S. A. Dange: Yesterday you refused to put that document about Ambedkar's death. That is your habit.

Pandit G. B. Pant: That is not my document, that is police document and you have no faith in the police. So, the question does not arise.

Shri B. K. Gaikwad: You have got faith in police. Why don't you put that Report on the Table of the House.

Mr. Speaker: Hon. Members must put the point there and then and invite the opinion. Hon. Member says he will put it on the Table of the House.

Shri Nath Pal: He is making a general statement.

Mr. Speaker: Why are you complaining? The hon. Minister is entitled to say what he thinks about matters.

Pandit G. B. Pant: I do not attach any undue significance to the remarks that I have read out but they indicate in a way the conditions in which the Government had to function there. There were some hard words said about the Chief Minister of Bombay.

State. He bore today the brunt of all those attacks. Under those delicate circumstances, I should like to say, that he is one of the foremost patriots in our country, he dedicated his all to the service of the country. One should not allow oneself to be led astray by instances here and there which may not be to our liking. We should take a more comprehensive view of things and be more generous in our assumptions. I will not say more because that is purely a personal affair.

**Shri Nath Pal:** He made accusations and slanderous attacks on about the whole people of Maharashtra to foreigners. What about that?

**Mr. Speaker:** The hon. Member was not here when I spoke. (Interruptions). What kind of interruptions are the hon. Members making? I will request the hon. Minister to conclude. Let hon. Members in the opposition go on with these interruptions. Why should not they be patient? I allowed Mr. Vajpayee. He spoke very forcibly. I allowed Mr. Mahanty to speak. Should we really carry on like this? It is very well where hon. Members have an opportunity to place matters before the House. They place facts and receive estimations also. This kind of interference is not proper. One day I expect a reasonable opposition to come and take the place of the Government.

**An Hon. Member:** Yes.

**Mr. Speaker:** If it is 'yes', they ought to say 'No' to their interruptions.

**Pandit G. B. Pant:** As it has been stated by more than one speaker that we have been actuated by political motives, not only in the introduction of this Bill but also in the implementation of the Acts that have been in force so far, I may just mention—I think some figures were given by my friend, Shri Datar, yesterday—I may just mention that on the 31st October, 1956 out of 141 persons, only 11 were

communists; and between 1st November, 1956 and 30th September, 1957, out of 292 persons who were detained, only three were communists. In the circumstances, I think it will have to be accepted that this Act has not been particularly misapplied against the communists.

**Shri Braj Raj Singh:** They might be befriended more.

**Pandit G. B. Pant:** I am unable to catch the words. I could answer everything.

**Mr. Speaker:** They are not intended to be caught.

**Pandit G. B. Pant:** Well, Sir, in the circumstances to say that any extraneous and ulterior considerations have weighed with the Government is not correct.

I may also state that this Act is used for various purposes. It is used against harbourers of dacoits. There have been dacoits; even now certain areas of Chambal Valley are infested with them. It has been used against smugglers, as hon. Members know. There has been a lot of smuggling, and special measures had to be taken for that purpose. It has also been used for preventing espionage and against persons who have crept into our territory with a determination to do grave mischief. So it is useful for many purposes, and it has had only one object throughout, and that was the preservation of peace.

There was some reference to certain cases from the Punjab. Well, the hon. Member sitting opposite, Acharya Kripalani, quoted from a booklet which has been distributed here, I think; he quoted some of the grounds given for detention in those cases. He accepted that those were only some of the grounds. The point is this, whether there were no grounds justifying detention. That conclusion can be reached only when all the grounds are placed before the House. To refer only to some of the grounds is hardly of much use, because unless you know all the grounds, we cannot say that action was not justifiable or was not justified.

Shri Naushir Bharucha (East Khadesh): Then why were they released by the Advisory Board?

Pandit G. B. Pant: The Advisory Board is there. It can release all people on the ground that at least one of the grounds is not valid, howsoever valid be the other grounds. But I do not know if this conclusion follows therefrom, that in this House one of the irrelevant grounds should be read out and all others need not be taken into account. That does not seem to me to follow from that.

Acharya Kripalani: May I interrupt for a moment? I wanted to show the intelligence of those by whom this Act is being administered.

Pandit G. B. Pant: Well, I have not claimed that those who administer this Act or those who are in charge of administration here or in other places are extremely or abnormally intelligent. They try to discharge their duties according to their light. They have their limitations, and those limitations have never been denied.

I was in fact sorry when Acharya Kripalani referred to some of the remarks that I made the other day when I said that we here on this side too had seen to it that he was re-elected. I only meant to say that we had such a respect for him that, to whichever party he may belong, we would always like him to be here. That was only an expression of my personal regard for him and there is nothing more in it. I was speaking about certain observations that had been made by him. I was saying that if a lesser man had made them, well, one could have understood it; but he was too big and too great and we had such an amount of reverence for him that we did not expect it from him. I do not even now think that I said anything of which I need be ashamed.

As to the other things that were stated here, I have not much to reply to. Sir, I think that if a dispassionate view is taken of the matter and if the proposals contained in this Bill are considered in the light of the circumstances existing and the difficulties

with which we are faced today, and the extreme necessity of preserving law and order, peace and tranquillity, so that peaceful progress may be expedited and every step that can bring us nearer to the goal of a welfare state of socialistic pattern is taken, it is necessary that this Bill should be adopted.

Mr. Speaker: I will first put the amendment of Shri Sadhan Gupta that the Bill be circulated for the purpose of eliciting opinion thereon by the 19th December, 1957.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 19th December, 1957".

Those in favour will please say 'Aye'.

Some Hon. Members: Aye.

Mr. Speaker: Those against will please say 'No'.

Several Hon. Members: No.

Mr. Speaker: I think the 'noes' have it.

Some Hon. Members: The 'ayes' have it.

Mr. Speaker: The hon. Member who tabled it is not here.

Shri Punnoose (Ambalapuzha): You have already put the amendment and we have said 'aye'.

Mr. Speaker: They have said it half-heartedly.

Shri T. K. Chandhuri: Sir, we will ask for division on the main motion.

Mr. Speaker: The 'noes' have it, the amendment is lost.

An Hon. Member: The "Ayes" have it. We want a division.

Mr. Speaker: They speak with different voices. What can I do?

The motion was negatived.

Mr. Speaker: The question is:

"That the Bill to continue the Preventive Detention Act, 1950,

for a further period, be taken into consideration."

*Lok Sabha divided:*

Some Hon. Members: It is not functioning.

Shri Assar (Ratnagiri): It is not functioning.

Shri Jhunjhunwala (Bhagalpur): have also made a mistake.

Some Hon. Members rose—

Mr. Speaker: Hon. Members wait until the result appears, and then they say they have made a mistake or they did not vote properly. They ought not

to have waited till the result was visible. Immediately they should have got up.

An Hon. Member: We got up.

Mr. Speaker: All the same, I trust what every hon. Member says. I do not dispute it.

The result is: Ayes 169; I have added two to the number and the Noes have 57.

Shri Assar: Four.

Mr. Speaker: Fiftynine. The "Ayes" have it. The motion is carried.

Ayes 169; Noes 59.

## Division No. 11]

## AYES

[14:44 hrs.]

Abdul Lateef, Shri  
Abdur Rehman, Mohi  
Achal Singh, Seth  
Ajit Singh, Shri  
Alva, Shri Joachim  
Ambalam, Shri Subbiah  
Anjanappa, Shri  
Arumugham, Shri R. S.  
Ayyakannu, Shri  
Badan Singh, Ch.  
Bahadur Singh, Shri  
Banoorji, Shri P. B.  
Bengali Thakur, Shri  
Berman, Shri  
Basappa, Shri  
Beemsteri, Shri  
Bhakt Darshan, Shri  
Bhargava, Pandit Thakur Das  
Bhogi Bhai, Shri  
Bideri, Shri  
Birbal Singh, Shri  
Birendra Singhji, Shri  
Brahen Perakash, Ch.  
Brajeshwar Prasad, Shri  
Chanda, Shri Anil K.  
Chaturvedi, Shri  
Chavda, Shri  
Chettiar, Shri R. Ramanathan  
Damani, Shri  
Das, Shri Shree Narayan  
Dasappa, Shri  
Datar, Shri  
Deb Shri N. M.  
Dinesh Singh, Shri  
Dube, Shri Mulchand  
Dublib, Shri  
Elayaperumal, Shri  
Ganga Devi, Shrimati  
Ghosh, Shri A.  
Ghosh, Shri M. K.  
Gohain, Shri

Gohokar, Dr.  
Gounder, Shri K. P.  
Hajarnavis, Shri  
Handa, Shri Subodh  
Hathi, Shri  
Hazarika, Shri J. N.  
Heda, Shri  
Hukam Singh, Sardar  
Jain, Shri M. C.  
Jang Bahadur Singh, Shri  
Jinechandran, Shri  
Joshi, Shri A. C.  
Jyotishi, Pandit J. P.  
Kanakambai, Shri  
Kasar Kumari, Shrimati  
Keshava, Shri  
Khuda Bukhah, Shri M.  
Kistaiya, Shri  
Krishna Shri, M. R.  
Krishnamachari, Shri T. T.  
Kureel, Shri B. N.  
Lachhi Ram, Shri  
Lal, Shri R. S.  
Mahfida Ahmed, Shrimati  
Majithia, Sardar  
Maiti, Shri N. B.  
Malaviya, Pandit Govind  
Malwa, Shri K. B.  
Maniyangaden, Shri  
Manjula Devi, Shrimati  
Masuriya Din, Shri  
Mehdi, Shri S. A.  
Mehta, Shri B. G.  
Mehta, Shri J. R.  
Mehta, Shrimati Krishna  
Minimata, Shrimati  
Mishra, Shri Bibhuti  
Mishra, Shri M. P.  
Misra, Shri R. D.  
Misra, Shri R. R.  
Mohammad Akbar, Shaikh

Munisamy, Shri N. R.  
Murthy, Shri B. S.  
Nadar, Shri P. T.  
Nair, Shri C. K.  
Naldurgker, Shri  
Nallakoya, Shri  
Nethwani, Shri  
Nayag, Dr. Sushila  
Nehru, Shri Jawaharlal  
Nehru, Shrimati Uma  
Nek Ram Negi, Shri  
Padam Dev, Shri  
Pande, Shri C. D.  
Pandey, Shri K. N.  
Pangarkar, Shri  
Panna Lal, Shri  
Parmar, Shri Deen Bandha  
Parmar, Shri Y. S.  
Patel, Shrimati Maniben  
Pillai, Shri Thanu  
Prabhakar, Shri Naval  
Prasad, Shri Mahadeo  
Radha Raman, Shri  
Raghuvir Sahai, Shri  
Raghunath Singh, Shri  
Raghuramaiah, Shri  
Rajiah, Shri  
Raju, Shri D. S.  
Ramanand Shastri, Swami  
Ramaswami, Shri S. V.  
Ram Subbag Singh, Dr.  
Rane, Shri  
Rangarao, Shri  
Rao, Shri Jagannath  
Reddy, Shri K. C.  
Reddy, Shri R. L.  
Reddy, Shri Ramakrishna  
Reddy Shri Viswanatha  
Rao, Shri Bhikwanath  
Rungsang Swain, Shri  
S. Ram. Shri

Sahodrabai, Shrimati  
 Sahu, Shri Ramchahwar  
 Saigal, Shri A. S.  
 Samanta, Shri S. C.  
 Samantashah, Dr.  
 Sanganna, Shri  
 Sarbadi, Shri Ajit Singh  
 Satyabhama Devi, Shrimati  
 Selku, Shri  
 Sen, Shri A. K.  
 Shah, Shri Manabendra  
 Sharma, Shri D. C.  
 Sharma, Pandit K. C.  
 Sharma, Shri R. C.  
 Shastri, Shri Lal Bahadur  
 Shobha Ram, Shri

Shukla, Shri V. C.  
 Siddanajappa, Shri  
 Siddiah, Shri  
 Singh, Shri D. P.  
 Singh, Shri H. P.  
 Singh, Shri T. N.  
 Sinha, Shri Gajendra Prasad  
 Sinha, Shri Jhulan  
 Sinha, Shri Sarangdhara  
 Snatak, Shri Nardeo  
 Sonawane, Shri  
 Subbarayan, Dr. P.  
 Subramanyam, Shri T.  
 Sunder Lal, Shri  
 Tahir, Shri Mohammed  
 Tantiu, Shri Rameshwar

Tewair, Shri Dwarikanath  
 Thakur Dass, Lal  
 Timmalah, Shri  
 Thomas, Shri A. M.  
 Uike, Shri  
 Umrao Singh, Shri  
 Upadhyaya, Shri Shiva Datt  
 Varma, Shri B. B.  
 Varma, Shri M. L.  
 Vedakumari, Kumari M.  
 Vishwanath Prasad, Shri  
 Wadiwa, Shri  
 Wank, Shri Balkrishna  
 Wodeyar, Shri

### NOES

Assar, Shri  
 Banerjee, Shri Pramathanath  
 Banerjee, Shri S. M.  
 Bhattacha, Shri Naushir  
 Raj Raj Singh, Shri  
 Braj Narayan "Brishal", P.  
 Chakravarty, Shri mati Renu  
 Chaudhuri, Shri J. K.  
 Chavav, Shri D. R.  
 Datta, Shri S. A.  
 Dasaratha Deb, Shri  
 Dasgupta, Shri B.  
 Deb, Shri P. G.  
 Dige, Shri  
 Garkwad, Shri B. K.  
 Ghosal, Shri  
 Ghose, Shri Bimal  
 Gudwara, Shri C.  
 Gopal, Shri A. K.  
 Gotay, Shri

Gupta, Shri Sadhan  
 Holder Shri  
 Imam, Shri Mohamed  
 Iyer, Shri Baswara  
 Jadhav, Shri  
 Jhunjhunwala, Shri  
 Kambla, Dr.  
 Katti, Shri D. A.  
 Khadilkar Shri  
 K. m. har, Shri  
 Mahajan, Shri  
 Manoj, Shri  
 Alacra, Shri  
 Manoj, Shri  
 Menon, Shri Narayanankutty  
 Nair, Shri Vasudevan  
 N. P. P., Shri  
 Pandey, Shri Sarju  
 Panigrahi, Shri

Parulekar, Shri  
 Parvathi Krishnan, Shrimati  
 Patel, Shri P. R.  
 Patil, Shri Balasahab  
 Patil, Shri Nana  
 Prokhan, Shri B. C.  
 Purohit, Shri  
 Ram Gatab, Shri  
 Sampati, Shri E. V. K.  
 Sankar, Shri  
 Singh, Shri K. N.  
 Singh, Shri I. Achaw  
 Singh, Shri Rajendra  
 Sivakumar, Shri  
 Sonule, Shri H. N.  
 Vaidya, Shri  
 Vaidya, Shri  
 Wariar, Shri  
 Yadav, Shri

*The motion was adopted*

#### Clause 2.— (amendment of section 1, Act 4 of 1950)

**Mr Speaker:** I have already ruled that so far as the amendments are concerned, amendments relating to the curtailment of time are in order. I will see if the hon. Members are in their seats. No. 9, Shri Narayanankutty Menon. Yes. No. 11, absent. No. 12, absent. No. 14, yes. No. 15, yes. No. 17, absent. So, three amendments 9, 14 and 15 are allowed.

**Shri Braj Raj Singh:** What about 10?

**Mr. Speaker:** I have ruled it out as being not at all in keeping with the dignity of this House. The hon. Member has tabled an amendment that this shall be extended by one day. I do not want to use a harsh expression, but under the rules I can reject any frivolous amendment. I do not want to call it one way or the other. I have rejected it.

**Shri Braj Raj Singh:** That shows our opposition to the Bill.

**Mr. Speaker:** I will stop with that. I do not allow the amendment.

Shri Narayanankutty Menon: I beg to move:

Page 1, line 7,

for "31st day of December, 1960"  
substitute "31st day of March, 1958".

Shri Jadhav: I beg to move:

Page 1, line 7,—

for "31st day of December, 1960",  
substitute "15th day of January, 1958".

Shri Vajpayee: I beg to move:

Page 1, line 7,—

for "31st day of December, 1960",  
substitute "31st day of December,  
1958".

Mr. Speaker: These amendments are before the House.

قاضی متین (گریڈ) جناب اسپیکر -  
میں اس وقت آپ کے سامنے وزارت  
داخلہ - ملستبی آف ہوم آفیسرز کے  
پروویڈنٹ ڈسپنشن ایکٹ کے متعلق  
جو اس ہاؤس میں رہے ہیں، کچھ  
عرض کرنے کے لئے کھڑا ہوا ہوں۔ ایک  
جمہوری حکومت کا ایک ڈسکریٹریٹک  
گورنمنٹ کا اس سیکٹر اسٹوٹ میں  
فرض ہے کہ وہ پارلیامینٹ سے کسی  
خاص ایکٹ کے ذریعہ اختیارات حاصل  
کرنے سے پہلے عوام کے - جلتا کے - ماسز  
کے اور ملک کے احساسات کو - فیلنگس  
کو پہنچانے کی کوشش کرے - میں  
عوام کے ایک ناچیز نمائندہ ہونے کی  
حیثیت سے جناب والا کو یقین دلانا  
چاہتا ہوں کہ پروویڈنٹ ڈسپنشن ایکٹ  
عوام کی نگاہ میں - جلتا کی نظر میں  
ایک ایسا ضابطہ ہے - ایک ایسا قانون  
ہے جو اصولی جمہوریت اور ڈسکریٹریٹک

کے بالکل خلاف ہے - اور ان کی زبان  
پر اس کا نام کالا قانون ہے - اور یہ ایسے  
قانون بنانے والوں کا ایک ایسا ساتھ  
ہے تو بوجھتی ہے - جس میں ظلم اور  
ناانصافیاں قانون کی معصوم اور مقدس  
صورتوں میں تعلقی اور ہلتی نظر  
آتی ہیں -

میرا مقصد یہ نہیں ہے کہ اس بل  
پر گفتگو صرف گفتگو کے لئے ہو - بحث  
صرف بحث کے لئے ہو اور نکتہ چینی  
صرف نکتہ چینی کے لئے کی جائے - بلکہ  
ہم جب بھی اس معزز اور محترم ایوان  
پارلیامینٹ میں بیٹھ کر عوام کے لئے -  
جلتا کے لئے جو قانون بنائیں تو ہماری  
نظریں حکومت کی ڈسکریٹریٹک  
سے آئے ہوئے کر یہ بھی دیکھیں کہ ایوان  
کے باہر اس قانون کے بارے میں  
لوگوں کی رائے کیا ہے اور احساسات  
و جزئیات - سلوشنمنٹس اور فیلنگس  
کیا ہیں - جہوں نے اپنی نمائندگی  
کا حق و اختیار دیاندری اور  
ایمانداری کے ساتھ ہمیں اس لئے  
بہرہ دیا ہے کہ ہم ممبران  
پارلیامینٹ ان کے لئے قانون کی  
ایک اسن پسند اور انصاف پسند  
حکومت قائم کریں - جو ان کے جان  
و مال کی حفاظت کا انتظام کر کے  
ان کی خوشحالی کے ذرائع تھوندے -  
اور ان کا معیار زندگی بلند کرنے کے  
لئے ترقی کے منصوبوں کو مکمل کرنے  
کی پرخطوں کوشش کریں تاکہ وہ

[Qazi Matin]

آزاد رہیں - مطمئن رہیں اور انصاف کے حاصل کرنے کے طریقوں میں کوئی دشواری اور رکاوٹ نہ ہو - بلکہ قانون انہیں پلانا دے - نہ کہ وہ قانون سے پلانا مانگنے لگیں -

اس وقت ان کی نگاہ میں ان کی نظر میں حکومت جمہوریت کا لباس پہن کر - قیما کیسی کا لہذا ارتقہ کر - اپنے بعض قوانین کی بدولت ایک طرح سے اجتماعی شہنشاہت یا اجتماعی آمریت یا ڈکٹیٹر شپ کا رخ اختیار کر رہی ہے - جو انہیں ناگوار ہے - ناپسند ہے - اور یہ اس لئے کہ وہ ہمارے قومی مزاج کے قطعاً خلاف ہے - جس نے ہمیشہ رام کی مظلومیت کے سامنے عقیدت و محبت سے سر جھکیا ہے اور دلوں کے جبر و قہر کو شکست فاش دے کر انسانیت اعلیٰ کی قدروں کو محفوظ رکھنے کی کامیاب کوشش کی ہے -

سوال یہ ہے کہ انہیں پھیل کود کے تمام دفعات کہا قیام امن و عامہ - لا ایلڈ آرہو کے مقصد کو پورا کرنے کے لئے ناگفتی ہیں - حالانکہ عدالتوں سے لے کر چوٹی تک ہر جرم اور ہر خطا کی سزا اس میں موجود ہے - تو پھر پریویلنٹو قتلین ایکٹ کی کیا ضرورت - اور اگر اس پر بھی تھریبی عناصر - دسترگتو ایلمینٹس کے خلاف بعض فوری کارروائی کرنے کی ضرورت ہے تو مجھے اتفاق ہے کہ اس قانون کے ہوتے ہوئے بھی اسکلر

اسکلرنگ کر رہے ہیں - خطرناک ڈاکو مسلح ڈارے قاتل رہے ہیں - اور ہمارے معتمد بزرگ ملت جی کے حکومت کی انتظامی مشینری اتلی ہے بس اور بے اختیار ہے کہ دہلی کے کلچان ملاکوں میں ہم یا پٹاخے پھینک کر شہر کی پرامن فضا میں سنسلی اور انتشار پھیلانے والے مجرموں کو گرفتار کر کے عدالت سے سزا دلانے میں ناکام ہے - اس کے برعکس پریویلنٹو قتلین ایکٹ جن لوگوں کے خلاف استعمال ہوتا ہے وہ اخبار نویس ہوتے ہیں یا پولیٹیکل جماعتوں کے سیاسی کارکن - بلاشبہ یہ اسکلر یا خطرناک ڈاکو نہیں ہوتے - مجرم آزاد رہیں اور جن لوگوں کی پولیٹیکل سرگرمیاں آپ کے مزاج کے - اب میں ان پر پریویلنٹو قتلین ایکٹ کا حربہ استعمال کرے دنیا کو اس کے وجود کی ضرورت کو محسوس کرانے کی کوشش کریں - جو نظم و نسق اور شہری حقوق کے رائٹ آف مگنیزیشن کے نقطہ نگاہ سے - پروائلٹ آف ویو سے کٹنی انسولڈا ملت ہے - جسے آپ کو محسوس کرنے کی ضرورت ہے -

پریویلنٹو قتلین ایکٹ کی تہز تلوو ہال سے زیادہ باریک اور تلوار کی دھاو سے زیادہ تہز ایسی تلوار ہے جس سے لوگ شہید ہوتے رہتے ہیں - ملک میں کوئی ہلکاسی حالت نہیں ہے - پھر اس قانون کی کیا ضرورت -

لیکن یہ قانون ہے اور حکومت اس کا  
بہت استعمال کرتی رہتی ہے۔ اکثر  
حالات میں لوگ جیلوں میں سوتے  
رہتے ہیں۔ ان پر نہ کبھی عدالت  
میں مقدمہ چلتا ہے نہ ان کو رہا کیا  
جاتا ہے۔ ابھی حال ہی میں ہندوستان  
کے مشہور منٹولی میگزین آستانہ  
اور ہفتہ وار اخبار پیام مشرق دہلی کے  
چیف ایڈیٹر - ڈاکٹر حضرت شیخ کلیم  
اللہ ولی جہاں آبادی کے سجادہ نشین  
صاحبزادہ محمد مستحسن فاروقی کو  
پریوینٹیو ٹینشن ایکٹ کے تحت جیل  
میں نظر بند کر کے عدل و انصاف کی  
تمام روایات کو ختم کیا جا رہا ہے۔  
جو الزامات فاروقی صاحب پر عائد  
کئے گئے ہیں ان کو دیکھ کر میرا خیال  
ہے کہ حکومت ہند کو ان پر کبھی  
عدالت میں مقدمہ چلانا چاہئے تھا۔

دوسرے میں نے دیکھا ہے کہ اس  
گزشتہ ماہ نومبر ۱۸ سے ۱۹۵۷ء میں  
استونسمین کی خبر کے مطابق پروفیسر  
شیر سنگھ - ایکس لڑیکھن منسٹر -  
کو دہلی کونوالی میں پریوینٹیو ٹینشن  
ایکٹ کے ماتحت گرفتار کر لیا گیا  
جو اس قسم کی بڑی ایسوسی ایشن  
ہے۔

لہذا میں اندھین پھل کود کے رہتے  
ہوئے اس کالے قانون کی اس پریوینٹیو  
ٹینشن ایکٹ کی اور اس کے لہذاؤلری  
پورے کی ضرورت نہیں سمجھتا کہ  
یہ ایک دھوکا ہے۔

[MR. DEPUTY SPEAKER in the Chair.]

ابھی کل کی بات ہے کہ ۲ دسمبر  
کو گامپینگھ پارلیمینٹری کانفرنس  
میں سینیٹرل ' کے اندر تقریر  
کرتے ہوئے : جناب اسٹریٹی اور ہمارے  
محترم وزیر اعظم :ات جواہر لال نہرو  
نے یہ فرمایا تھا کہ ہمارا ملک  
جمہوریت کے اصولوں کا علم بردار ہے۔  
لیکن میرے خیال میں وہ بھول گئے  
ہوں گے کہ اب بھی اس جمہوری ملک  
میں پھر جمہوری قوانین پریوینٹیو  
ٹینشن ایکٹ جیسے موجود ہیں۔ اور  
ایسے قانون کے رہتے ہوئے ایسی تقریریں  
اور دعوے کہو کہ لے اور خود ان کے  
خلاف شان ہیں۔

آخر میں کیا میں محترم وزیر  
داخلہ سے دریافت کر سکتا ہوں کہ  
گامپینگھ کے کن کن ملکوں میں اس  
اس طرح کے نظریاتی کے قانون موجود  
ہیں جو آپ نے اپنی حکومت کی  
بہادری اس طرح کے قانون پر  
دکھائی ہے۔

(English translation of the above speech.)

Qazi Mattin: Mr. Speaker, Sir, I rise to place a few of my observations regarding the Preventive Detention Act of the Ministry of Home Affairs, which is now under discussion in the House. In a secular State like ours, it is the duty of a democratic Government to assess the feelings of



[Qazi Matin]

masses and the country at large, before coming to the Parliament for sweeping powers through any particular enactment.

I, as an humble representative of the people, want to assure you, Sir, that the people of our country regard this Preventive Detention Act as a thoroughly anti-democratic measure. They call it a Black Act. This is really tragic. It is a patent tragedy, which looms large, regardless of the innocent and holy-looking appearance which they have managed to lend to this tyrannical and unjust Act. Regarding this Bill, I am the last man to want a discussion purely for discussion's sake or make any criticism for criticism's sake. What I want is that while meeting in this august body of ours legislating for the common people of our country, we should strain our vision a little beyond the administrative considerations of the Government and try to assess the feelings and sentiments of those outside the House, those who have in right earnest, entrusted us with the right and the duty to represent them in the Parliament. They look to us for giving them such a peace-loving, lawful and just Government which, while working to protect their life and property can strive to find the real means to their prosperity and can, in a convincing way, undertake to materialize their aspirations for progress and the higher standard of life. People want to lead a life of freedom, contentment and prosperity. They do not want any difficulties and handicaps to come in the way of securing justice. They want protection, not tyranny, from the law.

These days our people regard the present Government, thanks to some of her legislations, as one which, while parading as a democratic Government, is day by day assuming the form of dictatorship, a form they dislike and disapprove. This is because the dictatorial form of Government is wholly allergic to our national temperament. Our people have always paid homage with devotion and love to Rama, who

was wronged and was a victim of unjust and blasphemous acts of Ravana. In giving a crushing defeat to the tyrannical might and atrocities perpetrated by Ravana, they have successfully saved the best of human values.

Now, I ask, whether the various Sections of the Indian Penal Code have proved insufficient to maintain law and order in the country? In those Sections we have provided a certain punishment separately for each and every act of crime and wrongfulness, right from theft to traitorous acts. Then, what for this Preventive Detention Act? But, if you think that it is still necessary to take recourse to such additional emergency measures against the destructive elements in our country I may point out a strange fact. It is quite strange that despite this Preventive Detention Act, smuggling and armed dacoities are being committed in the country. The administrative machinery of honourable Pantji is so helpless and ineffective that it fails to arrest such of the culprits and get them punished in a court of law, who by throwing bombs and crackers in the populated areas of Delhi disturb the peace and create sensation and disorder in the city. The machinery of Preventive Detention Act is not made active against such culprits. On the contrary, it is set working against journalists and political workers. Smugglers and dacoits are never taken to task under this Act. You must now realize the regrettable aspect of this Act. How regrettable it is, from the point of view of the right of citizenship, that you come here pleading for the necessity of continuing such an Act which is mainly wielded against the political activities unsuitable to the Government, while the real criminals remain free.

This Preventive Detention Act is sharper than a sword and it cuts finer, than a hair. People are continuously being martyred at its altar. There are no riots, no disorder or abnormal situation in the country. Then, what for this Act? But this is the Law,

and the Government misuses it. People are made to rot in prisons without facing any trial in any court of law or getting their release. Recently, the Chief Editor of a reputed monthly magazine 'Aastana' and a weekly newspaper 'Payame Mashriqui' of Delhi, Sahebjada Mohammad Mustehasan Farooqui has been detained under the Preventive Detention Act. It is an act which militates against all the norms and traditions of justice. I have seen the charge sheet served to Farooqui Saheb. Having seen it, I think, Government of India should have given him a chance to face an open trial in a court of Law.

Last month, according to a report published in the 'Statesman', dated 13th November, 1957, an Ex-Minister of Irrigation, Prof. Sher Singh, was arrested in a Delhi Police Station under this Preventive Detention Act. It is really regrettable.

Therefore, I do not think that this Black Act, the Preventive Act and an Advisory Board for the same, are really necessary for the country in addition to our Indian Penal Code.

[MR. DEPUTY-SPEAKER in the Chair.]

It is a hoax. The other day, our President and our hon. Prime Minister, during their course of their speeches in Commonwealth Parliamentary Conference on 2nd December, in the Central Hall, have reiterated that our country stands by the principles of democracy. But, I think, they had at that time overlooked the fact that a democratic country like ours still has got an undemocratic Act like the Preventive Detention Act, and its continuance in the country gives a lie to all such speeches and their claims. It is against their own dignity.

In the end, may I ask the hon. Minister of Home Affairs to name such of the countries in the Commonwealth which have such detention Acts? May I ask him as to why the Government have erected their edifice on the foundations of such Acts?

वंदित बबू नारायण बबेश (शिवपुरी):  
कृष्ण बन्दे जगद्गुरुम् ।

उपाध्यक्ष महोदय, सदन में निवारक नजरबन्दी अधिनियम के सम्बन्ध में मत विभाजन हो गया और लोग अपना मत दे चुके । मैं समझता हूँ कि प्रत्येक सदस्य जानता है कि किसी भी रूप में यह जिन पाम होने वाला है, और जब यह पाम होने वाला है तो व्यर्थ यहाँ समय नष्ट करने में क्या लाभ है । मैं उन आदमियों में मैं नहीं हूँ . . .

उपाध्यक्ष : दोष : ऐसा नहीं कहना चाहिये कि समय नष्ट हो रहा है ।

वंदित बबू नारायण बबेश : मैं यह निवेदन है कि हम इस लोक सभा में अपने विचार इतनीय रखने आये हैं कि जब उन पर विचार किया जाय तो जिन बातों को हम समझते हैं कि वे उचित नहीं हैं, उन के सम्बन्ध में अपने विचारों को स्पष्ट रूप में रखने का और करने का अधिकार ले कर आये हैं । मेरा यह निवेदन है कि राज्य चाहे किसी भी पार्टी का हो, आज कायम राज्य करती है, कब दूसरा दल राज्य कर सकता है, इन में कोई बात नहीं है कि आज कायम राज्य कर रही है, इनके हाथ में सत्ता नहीं है । इसी विरोध के नियम विरोध किया जाना मैं उचित नहीं समझता हूँ । मैं समझता हूँ कि अगर किसी बिल पर या किसी सिद्ध पर विचार प्रकट किया जाय, तो ऐसा करने समय हर व्यक्ति का ऐसा सोचना चाहिये कि यदि हम सत्ता हों तो क्या करेंगे । आज की परिस्थिति में, आज की स्थिति में यदि हम शासन होते तो हम किस प्रकार शासन चलाते, विरोधी पक्ष को ऐसा सोचना चाहिये, और जो सत्ता हल है उस को सोचना चाहिये कि यदि हम सत्ता हल न होते, विरोधी दल में हों, तो हम ऐसे समय में क्या बोलते । यदि इस प्रकार सोच कर बोलना आरम्भ किया जाय, तो मेरा ऐसा विश्वास है कि जो अधिक

[वर्द्धित ब्रज नारायण बजेरा]

बिरोध दिखाई पड़ता है वह कुछ म्यूनता प्राप्त कर सकता है ।

आज जो दल राज्य कर रहा है उस दल ने जिन मूलभूत सिद्धान्तों के आधार पर स्वराज्य प्राप्त किया था और जिन सिद्धान्तों के आधार पर वह दल आज संसार को भी आदेश देता हुआ अपने को सुवृद्ध और शक्तिशाली बनाते हुए बढ़ना चाहता है वही इस प्रकार के कानून की अवधि बढ़ाना चाहता है । इस प्रकार के सिद्धान्तों को रखते हुए उस दल के लिए इस प्रकार के काले कानून को बढ़ावा देना तो मुझे एक साराब सी चीज मालूम होती है । यह इतना बड़ा और शक्तिशाली दल है जिसमें पुराने बयोवृद्ध, ज्ञान बृद्ध, राजनीति में बृद्ध और बृटिशर से विषम परिस्थितियों में लोहा लेने वाले नेता हैं, उनको आज देश को आजाद कराने के पश्चात् सी पचास आदमियों को जेल में बन्द करने के लिए इस प्रकार के कानून की आवश्यकता कैसे पड़ गई । इस समय जो आंकड़े मेरे सामने हैं उनसे मालूम होता है कि प्रारम्भ में लगभग ११ हजार आदमी डिटेंशन में रखे गये पर इस समय करीब १५० है । तो इन १५० आदमियों को डिटेंशन में रखने के लिए इस कानून को बढ़ाना अर्थ में विरोध लेना है और दुनिया को दिखाना है कि हमारे यहाँ भी काले कानून की आवश्यकता है, अभी हमारा देश इतना आगे नहीं बढ़ा है कि हमें इस प्रकार के काले कानून की अवधि बढ़ाने की आवश्यकता न रहे । तो इस छोटी सी बात के लिए शासन दुनिया को यह दिखला रहा है कि हमारे यहाँ काले कानून हैं । ऐसा करके शासन जनता का भी विरोध ले रहा है और विरोधी दलों की तरफ से भी विरोध ले रहा है और कह रहा है कि हमको इसकी आवश्यकता है ही, और इसे बढ़ाना ही पड़ेगा । मैं इस कानून की अवधि बढ़ाना उचित नहीं समझता इसलिए नहीं कि मैं विरोधी दल का हूँ, मैं तो समझता हूँ कि मुझे भी आप कांग्रेस की समझ लें । मैं तो कहता हूँ कि जब हमारे पास बड़ी ताकतें हैं तो हमको इस प्रकार के

कानून की क्या जरूरत है । अगर किसी आदमी को बन्द करना है, किसी बदमाशी को बन्द करना है तो क्या यह इतना बड़ा सत्तास्फुट दल जो कि इतने बड़े देश का राज्य करता है वह काम नहीं कर सकता । आज अगर पचास आदमी जानबूझ कर शांति भंग करना चाहते हैं, या जानबूझ कर उपद्रव करना चाहते हैं या योजनाबद्ध रूप से गड़बड़ी करना चाहते हैं, अगर उनको जेल में डालने का सवाल है तो राज्य को अधिकार है कि उनका जोर से दमन करे, उनको कुचल दे । राज्य के लिए ऐसे व्यक्तियों को जो देश में घराजकता और अशान्ति पैदा करना चाहते हैं बन्द करना क्या चीज है । लेकिन इस कानून में यह होता है कि न कोई वकील है, न दलील है और न अपील है और आदमी को बन्द कर दिया जाता है । यह क्या है ? सभापति महोदय, मैं मुक्त भोगी हूँ इसलिए मैं ऐसा कहता हूँ । मुझे भी प्रिवेंटिव डिटेंशन ऐक्ट के अन्तर्गत बन्द किया गया था और जब मैं बन्द हुआ तो तीन महीने में तो एडवाइजरी बोर्ड बना । उन बोर्ड के आदमियों की शक्तें और उनका स्वरूप अभी मेरी आँखों के सामने है । वे एक दूसरे की तरफ देखते हैं और कहते थे कि क्या कहना चाहिए और बाद में उन्होंने वही कह दिया कि जो नहीं कहना चाहिए था । उन्होंने ने कह दिया कि इसको ठीक बन्द किया गया । उसके पश्चात् हैबियस कार्पोस हुआ । उसमें विधान के आचार्य श्री निर्बल चन्द्र चटर्जी इन्दौर में बहस के लिए गये और बहस हो गयी पर मुझे बड़ा आश्चर्य हुआ कि बहस का निर्णय होने से पहले ही मुझे छोड़ दिया गया । यदि न्यायालय यह कह देता कि मुझे ठीक बन्द किया गया तो मुझे संतोष हो जाता कि हो सकता है कि विधान की अमानकारी के कारण मेने कुछ ऐसा बोल दिया है कि जिसके कारण मुझे बन्द किया ही जाना चाहिए था, परन्तु बहस के बाद तत्काल मुझे सासल में ही मुक्त कर दिया, न्यायालय ने फैसला दिया ही नहीं । मेरी समझ में नहीं आया कि न्यायालय

का दरवाजा बंदकटाते ही शासन ने मुझे छोड़ दिया और सात महीने तक जेल में मेरी मरहम पट्टी क्यों की गयी। समापति महोदय मुझे कुछ डर नहीं है। हो सकता है कि कुछ विरोधियों को यह डर लगा हो कि कहीं सरकार हमको बन्द न कर दे और वे इसलिए बोले हों। मैं तो निवेदन करता हूँ कि इस कानून द्वारा नेताओं को तो बड़ा भाराम मिलता है, उनको जेल में बस दिया जाता है और वे भाराम से साते और सोते रहते हैं, न ऊपों का लेन और न माधो का देन। इससे उनका कुछ बिगड़ता नहीं। लेकिन मैं सिद्धान्त की बात कहता हूँ। वह शासन जो कि अहिंसक है, जो धर्म चक्र चलाता चाहता है, जो और देशों को भी अपने सिद्धान्तों को मनवाना चाहता है, वह शासन इस निवारक निरोध का चक्र चलावे तो यह अच्छा नहीं मालूम होता। यह देखकर ससार के लोग भी कहेंगे कि अहिंसक और सत्य के राज्य में किस तरह से लोगों को बिना बन्दी, बिना दलील और बिना अपील के बन्द किया जाता है और छोड़ा जाता है। इससे मेरे देश का गौरव घटता है, मेरे शासन का गौरव घटता है, इससे हमारा बड़प्पन नहीं बढ़ता। हमारे पास बहुत से और हथियार हैं जिनको चलाकर हम अपने उद्देश्य को पूरा कर सकते हैं। परन्तु इसको चलाया जाय यह उचित नहीं है।

मेरा निवेदन है कि यदि सत्ताकण्ड दस यासे आदर्शावादी बन जायें तो दूसरों की इस प्रकार की अमान्ति उत्पन्न करने का अवसर ही नहीं रह जायेगा। आज हमारे देश में अनहित का मारा लगाया जाता है, पंचशील का उद्घोष किया जाता है, विदेशियों पर भी उसकी छाप डाली जा रही है लेकिन मेरा निवेदन है कि शील का उदाहरण तो मेरे सामने है। रावण सीता को लंका से गया और चाहा कि उससे उसका पाणिग्रहण हो जाये बल्कि उसके घर में आ जाये। उसके लिए उसने बड़ा प्रयत्न किया पर सफल नहीं हुआ। जब सफल नहीं हुआ तो आकर अपने माई कुम्भकर्ण को बनाया। उसने पूछा कि मुझे क्यों बनाया है मैं तो ६ महीने के बहने उठने वाला नहीं हूँ। तब रावण ने कहा :

ग्रान्हायः प्रतिबुध्यताम् किम् भव रामांगनाद्याहता मुक्ताः नैव कुतो मतो न भजते रामात् परम जानकी।

अर्थात् रावण ने कहा कि मैं राम की अर्धांगिनी सीता को ले आया हूँ। कुम्भकर्ण ने कहा कि तो भोगो, तुम्हारा तो यह रोष का काम है इसमें कौन सी बड़ी बात है। लेकिन रावण ने कहा कि मैं उसका भोग नहीं कर सकता। इस पर कुम्भकर्ण ने कहा कि तुम राम ही क्यों नहीं बन जाते।

रामः किन्न भवान् सुरचिबिरम् तालीदलः स्यामलम्।

कुम्भकर्ण ने रावण से कहा कि तुम राम बन जाओ और सीता को इस प्रकार अपने महल से ले आओ। तो रावण ने कहा है कि :

रामांगम् भजते ममापि कलुषो भावा न संजायते जब मैं राम बनता हूँ तो मेरे हृदय में पाप की वासना का उन्मूलन हो जाता है। यह है राम-राज्य का आदर्श और राम का स्वभाव। तो एक तरफ तो सरकार गलत काम करती है और दूसरों को बन्द करना चाहती है। मैं यहां यह बात देशहित की भावना से बोलता हूँ और मेरा तो कहना है कि सारे दल समाप्त हो जायें और कोई भी विरोध न रहे इसी में देश का कल्याण है। मैं तो कहता हूँ कि चाहे हजार साल तक कांग्रेस का राज्य चलता रहे और दूसरे दल नेस्त नाबूद हो जायें लेकिन देश का कल्याण हो। हम चाहते हैं कि जो कल्याणकारी राज्य है और जो अहिंसक राज्य है उसे ऐसा कानून नहीं रखना चाहिए। पर हम देखते हैं कि जब बाहर वालों का सवाल आता है तब तो हम अहिंसक बन जाते हैं। जो लोग हमारे प्रधान मंत्री का अपमान करते हैं, हमारे संविधान का अपमान करते हैं उनके साथ तो हम मैत्री से और शान्ति से रहना चाहते हैं लेकिन अगर कोई बरबासा एक बार भी कोई गलत काम करता है तो उसे सत्त्व करना चाहते हैं, यह कहाँ का न्याय है। बरबासों को तो क्षमा करना चाहिए और हृदय से क्षमा चाहिए। और बाहर वालों के प्रति मजबूत होकर काम करना चाहिए। मैं नहीं चाहता

[पंडित जय नारायण जनेश]

कि लोग अपनी सरकार का विरोध करने के लिए सामने भायें। हम तो कहते हैं कि हिन्दुस्तान में विरोध रहे ही न।

जहां सुमति तंह सम्पति नाना,  
जहां कुमति तंह विपति निधाना।

हमारा तो कहना है कि केवल एक ही दल रहे और सब दल समाप्त हो जायें और इस प्रकार हम दुनिया में डिमाक्रेसी का एक नया आदर्श रखें। और सारे संसार के सामने यह उदाहरण रख कि हम किस प्रकार से काम करते हैं। लेकिन जहां तक मेरा मवाल है मैं सरकार की बात समझ नहीं पाता हूं। एक तरफ तो वह कहती हैं कि शिवा एंड प्रताप वर मिमगाइडेड पेंटिंट्स घाव इंडिया, यानी शिवाजी और प्रताप भारत के पञ्चभूत नेता थे और दूसरी तरफ कहती हैं कि वे मदर इंडिया के बड़े पुत्र थे। मेरी समझ में नहीं आता कि कौन सी बात सच्ची है।

या तो हमको पहने धोखा दिया गया या या सब धोखा दिया जा रहा है। मेरा यह निवेदन है कि इतनी गम्भीरता और सज्जदगी न बात कहनी चाहिए कि किसी के मन में बड़े आदर्शों के प्रति यह भ्रम बना पड़ा न हो कि यह हमका मिमगाइड करने हैं या हमको गलत गलत प्रेरित जाते हैं। सत्य बात को दृढ़तापूर्वक कहना चाहिए।

मनस्येकम् वचस्येकम् कर्मण्येकम् महात्मनाम् ।  
मनस्यन्यः वचस्यन्यः कर्मण्यन्य इरात्मनाम् ॥

मनसा, वाचा और कर्मणा में एकरूपता होनी चाहिए अर्थात् जो करनी हो वही कथनी होनी चाहिए और जब ऐसा हमारा आचरण होगा तब देश हमारा विश्वास करेगा।

जहां तक इस विधेयक का यहां पर पारित होने का प्रश्न है, तो वह तो बूक कांग्रेस पार्टी का यहां पर बहुमत है इसलिए वह तो पास हो ही जायेगा और हम लोग डिबिजन करवा लें या वहां पर कोई इसके विरुद्ध कितनी ही जोर

से क्यों न बोले और बीजे लेकिन उसका कोई खास प्रभाव पड़ने वाला नहीं है। लेकिन फिर भी मैं इस अवसर पर कहूंगा कि यदि एक बार देश के कल्याण के लिए, देश की सोमा के लिए और देश के गौरव के लिए शासन को अपना हट छोड़ना पड़े तो उसे छोड़ देना चाहिए। यह भी डेमोक्रेसी का एक अंग है कि हमारा शासन यह दिखाये कि यद्यपि देश की परिस्थितियों को हम समझते हैं कि ठीक नहीं हैं लेकिन चूंकि हमारे विरोधी भाइयों की तरफ से यह संगठित आवाज आती है कि यह काला कानून खत्म कर दिया जाय और शासन यदि इसको बदल देता है अथवा खत्म कर देता है तो यह भी भारतवर्ष में एक आदर्श होगा कि विरोधियों की बात प्रजातंत्र में हम तब तक मानें जाते हैं। मैं समझता हूँ कि ऐसा कुछ नहीं होने वाला है लेकिन फिर भी मेरी प्रार्थना यही है कि यह काला कानून, निवारक विरोध अधिनियम, अपराधी का विरोध करने के लिए पहने हो से किंगी को अपराधी घोषित करके उसके जेन्समान में बन्द कर देना, यह हम देश के लिए, कम से कम हम देश को परम्परा के लिए और दुर्ग देश के शासन के लिए जो कि एक आदर्श को लेकर चल रहा है उसके लिए अभिनय नहीं है और मैं प्रार्थना करूंगा कि इसकी अवधि बढ़ाने के बजाय इसको बिल्कुल ही समाप्त कर दिया जाय तो प्रति उतम रहेंगा। इन शब्दों के माध्य में अपने भाषण को समाप्त करता हूँ।

Shri Khadlikar (Ahmednagar): Mr. Deputy-Speaker, I thought that after listening, and listening very patiently to all the speeches, including the speech, from a Congress member, our Home Minister in his reply would at least, after taking note of their contents, be prepared to liberalise the provisions of the Bill. But, unfortunately, though he has listened, he has refused to learn like the rulers in other places, who refused to learn from circumstances.

It is indeed an irony of the situation that when such Preventive Detention Acts were moved in this House by the predecessors of the present ruling party, I mean the British bureaucracy, when men like Maxwell moved such Bills, our national leaders used to call them Black Acts. Now, after ten years of freedom, after exercising ten years of unchallenged power in this land, after the first period of transition is over when there was some justification because of the partition, after the communist party has changed its creed—at that time, that is, in 1948 and 1952 the communists were saying that we are the stooges of British imperialism and that we are to be liquidated with all their strength; then we could have understood a measure like this—the ruling party is coming forward with a Bill to extend the life of the Preventive Detention Act.

Are we to suppose that we still remain in a period of transition and, therefore, we should support the measure which is primarily intended to meet a situation of emergency? This measure can be resorted to only when there is grave danger to the national security. Unfortunately, the Home Minister and the ruling party have failed to take note of the changed circumstances. They have not taken note of anything.

They are professing that we are building a welfare State, a socialist society. But, so far as the administration of law and order is concerned, they want to proceed in the old path of the Britishers, that is, more or less as a police State, I mean a law and order State. At one end, as regards the criminals in the land, the Home Minister considers that the punitive punishments should go and there should be a reformatory approach and there should be some probationary period and so on. Now, I would ask him: what is the necessity of rushing through this legislation. No harm to the country would have been done by waiting for some more time and watching the situation for, say, six months with no Preventive Detention Act in force. I don't think the heavens would have fallen by that.

He advanced a very strange argument. He said that our prestige is high in the international field because we are stable here and our stability depends upon this Preventive Detention Act and, therefore, it should be continued. I am very sorry to say that after ten years of freedom, after professing the goal of socialist objectives, this Act has found a place in our present stage of social reconstruction. If that objective is to be genuinely pursued, this Act should not be there.

On the contrary, he went out of his way to refer to the ex-Chief Minister of Bombay and gave him a certificate of patriotism. I would like to remind him that when our people, our Goan satyagrahis were being butchered inside Goa by the Salazar armies, nowhere in India, not in Madras, not in Calcutta, but only in Bombay, and that too near the Secretariat, what happened? There was a huge crowd. I was there. The demonstration demanded that in honour of the patriots who were shot dead in Goa to kindly lower down the flag. The flag was lowered down in Patna. In fact, the High Court was closed. The Chief Minister of Bombay, to whom a good certificate was given by the Home Minister, what did he do? He ordered firing. By this firing he acted like the Salazar of this land. Was it patriotic?

Mr. Deputy-Speaker: Order, order. I do not object to his making a reference on the ground that he has been referred to as the great patriot. The Home Minister has given an opinion and the hon. Member might give his view. But he need not detail here what he did or he didn't do.

Shri Khadikar: Shri Morarji is an old friend of mine. We have spent several years together in jail. I am just pointing out that he epitomises the spirit of the Preventive Detention Act. I do not want to unnecessarily refer to an individual and bring him into contempt or disrepute.

I would like to submit very humbly that when Panditji went to Maharashtra, whatever demonstrations were



[Shri Khadilkar]

there—and he knows it very clearly—they were not against Panditji as such; they were directed against the bilingual State and the shooting of people in Maharashtra.

I would like to ask one thing. When people are angry and there is trouble, why should there not be an enquiry, a probe? You could not deal with such a situation in that manner. Why are people enraged? I would suggest that instead of a law against violent speeches and things of that nature, there should be a law in this land to enforce certain social measures which are our objective. What has happened? The sense of justice and fairplay in Maharashtra and all over India was outraged when this gentleman was suddenly, after imposing a certain solution on Bombay promoted and taken as a colleague in the Central Cabinet?

Mr. Deputy-Speaker: I have already asked the hon. Member that he should come to the proper point. It is not only one individual who is being discussed here. He has only two minutes.

Shri Khadilkar: I just wanted to say one word. It is not against Mr. Morarji as such. He represents a certain attitude of mind that we find behind this Act and the insistence on its continuation.

I would come to the provisions of the Act. What I would like to say is before bringing this Bill for continuation I would have expected that the judicial pronouncements of the High Courts should have been taken into consideration. I will give you one or two instances. Though, in our Constitution judiciary is subordinate to the legislature still such judicial pronouncements as we have, should have been taken into considerations and suitable amendments ought to have been made. How the Act was in practice abused by the executive ought to have been gone through. Then if it were thought that such a measure is necessary the House would have considered it more dispassion-

ately. Therefore, I thought Mr. Sadhan Gupta's amendment "for a short postponement, circulation and consideration" would be acceptable to the House and to the Government. But, unfortunately they were not prepared to consider it.

One hon. friend referred to the human rights. I would like to know from the Home Minister what was that memorandum submitted to the Human Rights Sub-Committee by them.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Khadilkar: I know from good authority that Government has submitted a memorandum. So far as I know all the democratic constitutions in the world do not have a provision like Article 22 of our Constitution under which a certain power, the power of preventive detention, is given to the Government.

I have faith in democratic ideals and I do feel that our reconstruction should take place by certain democratic method. That would be more lasting. We say we want to pursue democratic methods. Is it not the duty of the Government to create an atmosphere favourable for democratic reconstruction. Why create this barrier between the ruling party and the ruled, when the whole process of transformation is going on.

Our Prime Minister has visited China and the Soviet Union time and again. He has said social reconstruction at a fast speed is taking place there. There the acts of executive and the people who occupy posts of power are watched and watched very carefully. If this Act is to continue then there should be a provision, if a Minister of a State, however big he may be, misbehaves, for impeachment before this House. We should take lessons from Britain. Warren Hastings misbehaved here and he was held up before British Parliament. If a Chief Minister of a State misbehaves and encourages caste feelings.....

**Mr. Deputy-Speaker:** Hon. Member has already taken 13 minutes. He should wind up now. He is talking only of one individual.

**Shri Khadilkar:** That individual does not obsess my mind.

**Mr. Deputy-Speaker:** But the whole speech of the hon. Member show that. He should come to the main point.

**Shri Khadilkar:** I am coming to it. Hon. Member of this House Mr. Thevar is a man of influence. What happened in this gentleman's constituency where the Congress suffered defeat. In order to win over that constituency....

**Shri Ayyakannu (Nagapattinam—Reserved—Sch. Castes):** On a point of information, Sir. Does the hon. Member know what atrocities did he commit in his constituency for raising the feelings of communalism?

**Mr. Deputy-Speaker:** The hon. Member may now resume his seat. If the hon. Member has got to say something about the Bill he might do so. But, if he has to discuss only Mr. Morarji perhaps we might pass on to some other Member.

**Shri Khadilkar:** That part of my speech is finished. I will just give you one or two instances which Government ought to take note of. For instance, Justice Sarkar of the Supreme Court in a recent case—*Lakhanpal vs Government of India*—at the outset has declared the Preventive Detention Act ultra vires of the Constitution. I am not going into details because I have very little time at my disposal. He has reviewed the operation for this since Mr. Gopalan's case. He reviewed all the judicial decisions in the country and pronounced this verdict. Are we not to take that into consideration?

In another case of one Mr. Das from Bihar State Patna High Court in a habeas corpus petition observed; "Since no ground of detention have been given we have thought of releasing him." When the Government found such pronouncements from the

High Courts and Supreme Court they thought it best to release him.

Therefore, my submission is that if at all Government feel that without keeping this measure in their armoury they cannot move, they cannot rule according to their concept of law and order, according to their concept of democracy I would suggest—as I have suggested in my amendments—let this Act be thoroughly revised.

We say the Act is intended for defence and security of the country. Kashmir is the country. Kashmir is the responsibility of the Union Government. What has happened? You have got Sheikh Abdullah in jail for nearly five years now. There is no advisory body. He was put in jail under detention. We know and the Home Minister knows it these things do not lessen one's popularity; on the other hand it builds up. The problem remains. Why, I do not know. They want this act for this reason. They want to find out a short-cut measure. Where really deeper understanding is necessary, they have kept him in jail for nearly five years now. Therefore, I suggest, make it applicable to all India. Apply it to Kashmir.

**Mr. Deputy-Speaker:** That amendment is not before the House just at present. The Member need not refer to it. I presume he has finished his speech.

**Shri Khadilkar:** So, I was saying because you are not ready to withdraw it, you should amend it in the light of the criticism offered here. Even if you keep it in abeyance and give the democratic forces a trial for six months without allowing this measure to hang over their heads and say "let us sit together and mobilise for national reconstruction, I can understand. But if you want to persist with this measure to rule in this country, I would suggest in a changed context that there should be a provision to punish those who are in authority, whether it be Ministers or administrators. That has not been done here. Here small fry are punished. A sepoy is punished. There is no enquiry....



**Mr. Deputy-Speaker:** Now he should finish.

**Shri Khadilkar:** There my humble plea is that it is unfortunate.

**Mr. Deputy-Speaker:** Therefore it is best he stopped here.

**Shri Khadilkar:** Thank you, Sir

**Mr. Deputy-Speaker:** I would now call Lala Thakur Das from Kashmir

I wish to say this. I do not want to be rude to the House or to any Member. But when it is decided and a request has been made that every hon Member should conclude within ten minutes, they should pay some heed to the ringing of the bell. If they continue in spite of it, what am I to do? If I conclude the speech of the hon. Member myself, that might be taken as impertinent

**Shri Khadilkar:** I am sorry for not concluding in time.

**Lala Thakur Das** (Jammu and Kashmir): Respected Deputy-Speaker, the Bill under consideration has its importance, as I see, from two points of view. Firstly, there is much difference of opinion upon the question whether the Act as it is should continue or not. This, I think is, but natural, because every such measure has its advantages and disadvantages. Those who are oversensitive to the disadvantages, certainly with all bona-fide intentions, cannot agree to any such measures being moved. And I think that is rather helpful to arrive at the right conclusion. But if any opposition is given to any such measure to make political use of it, or to make use of it for some other motive—being a new Member it is not advisable for me, nor do I intend, to impute any motives to any one of the Members who have opposed the Bill—if that is done by any one, then of course that is bad.

Secondly, it is important as it is a Bill not of ordinary times but of extraordinary times. It is of course true that in our country at present we have no warlike circumstances. At the same time we cannot deny this

fact that we are passing through not such normal times or normalities that it can be said that no such measure is needed.

Just now one of my hon. friends has referred to Kashmir. He has referred to Kashmir in some other light. But I would request you and the hon. Members of this House to just look to the real picture, the real situation, what is there in that State.

**Shri Goray** (Poona): Would you allow us to go there?

**Mr. Deputy-Speaker:** Order, order.

**Lala Thakur Das:** I would request you to see whether no sabotage is going on, no espionage is going on, or no violent acts are being resorted to. After all, these are due to some facts. These are not due to the fact that the Government is not functioning well there. I assure you that the government headed by Bakshi Ghulam Mahomed is most popular and is doing all for the people. And the leader of that State, I assure you with full confidence and responsibility, is not only popular but is loved by all the people of that State, to whatever political ideology they belong. But still there are such abnormal things. After all these are due to some causes, due to some reasons and I would ask, what are those

I would humbly request the hon. Members of this House just to look to the fact that Pakistan has got a greedy eye upon that State, and in order to achieve its object and to succeed in its methods it has not only agents but spies also, those who are at work for Pakistan. It cannot be said that it is only the Pakistanis that come there and they do these things. I assure you there are men, there are traitors, who are purchased by foreign powers, and they have been purchased.

It may be said here that this Act is not going to apply to that State. Certainly, it is not going to be applied to that State. We have got a measure on similar lines. But I submit here that such activities are not restricted

only to the limits of that State; they are beyond that also. And it is the duty of the Central Government to deal with such elements, to deal with such persons and to stand against such traitors. It is our duty not only to enable the Government to fortify the State, to fortify the country against external forces or external aggressions, but rather we have to enable the Government to stand against the internal dangers also. And this is one of those measures.

It has been said that during the time this Act had been in force, there had been acts of violence and there had been repetitions of all such things which it intends to prevent. But that is not a reason why we should not have this; rather that is a reason why we should still continue this Act. I would submit we should still continue this Act. I would submit that we have such preventive sections—sections 107, 109 and 110 in the Criminal Procedure Code—and still the offences are being committed. That does not mean that we should do away with those sections. When we see that during the time that this Act had been in force there had been a decrease in the arrests and detentions which were being made under this very Act, that shows that it had its effect. But because all those things have not yet stopped, so we need it to continue.

It is very essential that we should strengthen the hands of the Government to deal with all such elements, all such individuals who are not acting in the interests of the State and who are doing something which must be stopped. With these words I support the motion.

वंदित ठाकुर दास भार्गव : जनाब डिप्टी स्पीकर, इस बिल पर दो रोज से बड़े जोर की बहस हो रही है लेकिन मुझे अफसोस है कि उस सारी बहस को सुन कर मुझे अपनी यह राय बनी हो पड़ती है कि दरअसल यह बहुत सारी टैजेंट में चली गई है। इसके अलावा यहां पर भी मोरारजी देसाई के सम्बन्ध में जो सब्ब इस्तेमाल किये गये और

जिन अफ्फाज में उनका जिक्र आया वे कुछ मुनामिब और नामीजुं ये और हालांकि जनाब ने कई मर्तबा रोका भी लेकिन जब एक मर्तबा शुरू हो जाय तो बहस फिर रुकती नहीं है।

मे अदब से अर्ज करूंगा कि जहां तक इस मामले का ताल्लुक है, लोग पैशन से ज्यादा काम लेते हैं और दिल में कम काम करते हैं। मुझे अफसोस है कि मुझे यहां पर यह कहना पड़ा जहां तक इस बिल का ताल्लुक है, इस मामले का ताल्लुक है, शायद ही कोई ऐसा मौका हुआ होगा जिसके कि अन्दर मेने बहस में हिस्सा नहीं लिया होगा और बिना उस पर मैं यह कहने पर मजबूर हूं कि जो बहस आज यहां पर हुई है वह पहले बहसों में आला पमाने पर हुई है।

यह मामला कि प्रोबेटिव डिरेक्शन एक्ट किस हद तक किसी एक गवर्नमेंट के दायरे अख्तियारात में दिया जाय, यह मौजूआ का ही नहीं है। सान साल में जब मे कांस्टीट्यूट प्रेसम्बली में यह सवाल आया उस वक्त से बहुत डायरेक्टली इस पर बहस होत; चली आई है और उससे पेत्रतर मी मेरे दोस्त बलूबी से वाकिफ है और पुरानी हिस्ट्री को उठा कर देख तो उनको पता चल जायेगा कि बर्षों तक पोलिटिकल कैदी कैद में सड़ा करते थे, बड़े बड़े मुन्को में जिनका कि यहां जिक्र होता है वहां पर जेलखानों में उन पोलिटिकल कैदियों को उधें गुजर जाती थी और यह भी नहीं पता चल पाता था कि उनके मुह में कितने दांत हैं।

इसके अलावा सिक्योरिटी आफ दो रिएलम, सिक्योरिटी आफ दो स्टेट और डिफेंस आफ दी रिएलम और डिफेंस आफ दी स्टेट तरह तरह के कानून अपने जमाने में अकूरत के मुताबिक होते रहे हैं। इंटरनल सिक्योरिटी ऐक्ट सन् १९५० में अमेरिका के मुक्त में मौजूद था और जिसके कि प्राबिजेंस हमारे इस कानून के कोई बहुत ज्यादा मुस्तलिह नहीं थे। सड़ाई के दिनों में बिलायत के अन्दर

[वंडित ठाकुर दास भार्गव]

भी इसी तरह का एक कानून था लेकिन धाज एक बात मेरी समझ में नहीं आती कि मेरे साथक दोस्त जो इस भवन में अन्दर दाखिल होकर कांस्टीट्यूशन पर कसमें लेते हैं, वे धाकर यह कहें कि यह सालेस ला है। इस ला को वे धगर चाहें तो काला कानून कह सकते हैं या सफेद कानून कह सकते हैं लेकिन इसको एक सालेस कानून कहना मुनासिब नहीं है।

सन् १९५० में कांस्टीट्यूशन बनाते वक्त बहुत झगड़ा हुआ। उस वक्त दो तरह के व्यूज थे। मैं इस मीके पर उस हिस्ट्री में नहीं जाना चाहता। एक व्यू तो वह था जो कि ड्यू प्रीसेस धाफ ला को मानने वाला था और दूसरा व्यू वह था जो कि धार्डर इस्टैब्लिश बाई ला के फेजर में था और जिसको कि हमने संविधान की दफा २९ में रक्खा। इन दोनों व्यूज में सक्त तनाजा था। धाखिर मैं हमने देखा कि फ्रीडम्स के मुतास्लिक जो उस वक्त दफा १३ थी और धाब धायद वह दफा १९ है, उस को लेकर जो हमने झगड़ा किया तो जनाबवाला को याद ही होगा कि दफा १३(१९) के अन्दर हमने सारी चीज को जस्टिसेबुल कोर्ट करके के मातहत देस की फ्रीडम्स पक्की कर दी और रीजनेबुल का सफज डाल कर ७० परसेंट धाजादी जो हिन्दुस्तान की थी उसको एक तरीके से सीक्योर कर दिया। धाब जहां तक उस बाकी ३० परसेंट धाजादी का सवाल था, उस की बाबत भी हाउस में बेहद झगड़ा हुआ और जो साहबान धाज बहस करते हैं, उनको उन झगड़ों की बाकफियत नहीं है। उसके बाद जब यह कानून धाया जिसको कि काला कानून का नाम दिया गया है, तो मैं उन धपने दोस्तों को बतसाना चाहूंगा कि दफा २२ जब बनी तब यही ऐतराज जो धाब हमारे दोस्त उठा रहे हैं कि यह कैसा फंडामेंटल राइट है और यही पर्सनल लिबर्टी का सवाल उस वक्त भी उठाया गया था। मैं अक्ल से धर्ज करना चाहता हूँ कि दफा

२२ को धाप मुलाहिजा करमायें तो धाप पायेंगे और उस की बाबत मेरा तो दावा है कि दफा २२ में फिलबाक्या फंडामेंटल राइट दिया गया है। दफा २२ में जो फंडामेंटल राइट दिया गया है वह निहायत जरूरी है। धाज मुझ को इतकी जरूरत मालूम नहीं होती कि मैं उस के बारे में कोई बहुत तफसील से यहां जिक्र करूं। मैं पर्सनल लिबर्टी और गवर्नमेंट ऐडमिनिस्ट्रेशन में कैसा ऐडजस्टमेंट होना चाहिये, इस पर मैं धाज नहीं जाना चाहता। वह सब चीजें जो हमारे मुखालिफ मेम्बर साहबान ने कही हैं, सन्, १९५० में हमारे सामने थी। हमने दफा २१ और २२ जो धाईन की बनाई, वे एक दूसरे की कम्प्लीमेंटरी थी। जब दफा २१ बनी तो उसमें सिर्फ यह लिखा गया :

21. "No person shall be deprived of his life or personal liberty except according to procedure established by law".

यह प्रोसीज्योर इस्टैब्लिश बाई ला, यह क्या चीज है? कोई पालियामेंट या एम्बली ऐसा कानून बनाकर किमी भी शक्स को वह सात वर्ष के वास्ते कैद में डाल सकते थे और वह कानून दुस्त होता और जायज होता लेकिन दफा २२ के जरिये प्राविजेज के ऊपर और हमारे इस लेजिस्लेचर के ऊपर एक प्रतिबन्ध लगा दिया गया और एक धीक्स्टेकिल लगा दिया गया और यह कह दिया गया कि जब तक दफा २२ की कठिबन पूरी न हो, वे इस तरह का कानून नहीं बना सकते हैं और इस तरह इन दोनों के राइट्स को जून लिया गया। उस मीके पर हमारे स्वरगीय डा० अम्बेदकर जिन्होंने कि इस कांस्टीट्यूशन को बनाया उन्होंने जब इस चीज पर बहस चल रही थी तो उस वक्त उन्होंने यह साफ तौर पर कहा था कि यह लेजिस्लेचर्स और पालियामेंट के ऊपर एक तरह का प्रभुत्व है और इसके रहने से वे इस तरह का कानून नहीं बना सकते जो दफा २२ को वैटिस्काई

न करता हो। मैं तो इसके लिये अपनी गवर्नमेंट को मुबारकबाद देना चाहता हूँ मले ही किसी को नागवार गुजरे। दफा २२(७) को मुलाहिजा करने से मालूम होगा कि इसकी व से गवर्नमेंट को एक बहुत बड़ा हक भी दिया गया था। दफा २२(७) इस तरह है :

22 (7): "Parliament may by law prescribe—

(a) the circumstances under which, and the class or classes of cases in which, a person may be detained for a period longer than three months under any law providing for preventive detention without obtaining the opinion of an Advisory Board in accordance with the provisions of sub-clause (a) of clause (4);" The Maximum period for which a person may be detained is also not given.

दफा २२(७) के मुताबिक पार्लियामेंट को यह हक था कि वह कोई एक ऐसा परमानेंट कानून यहां पर बना सकती थी जिसमें कि बगैर ऐडवाइजरी बोर्ड के किसी धर्म तक के लिये जिसके लिये पार्लियामेंट मंजूरी देती, किसी शख्स को डिटेन किया जा सकता था। अगर गवर्नमेंट ने ऐसा कानून नहीं बनाया तो मैं प्रश्न करता हूँ कि गवर्नमेंट खुद इस मामले में बहुत सावधान है कि कोई ऐसा कानून न बने जिसके बन जाने से कोई लेजिस्लेचर उन प्रवृत्तियों का मिसयूज कर सके। इसलिये आज इस कानून के मुताबिक गवर्नमेंट के हाथ बंधे हुए हैं कि तीन महीने के अन्दर "दे मस्ट ऐपॉयंट ऐन ऐडवाइजरी बोर्ड"। हम लोगों की मंशा तो इसल में थी थी कि यह तीन महीने में नहीं चलने चाहिये और मने उस मोके पर जो स्पोच ही थी उसमें कहा था कि यह तीन महीने का समय बहुत ज्यादा है क्योंकि १५ दिन के अन्दर आज पुलिस मामूली मुकद्मात में चालान दे देती है और गवर्नमेंट के लिये लाजिम हो कि वह १५ दिन में चालान पेस कर दे और उस के लिये आप इतना धर्सा क्यों देते हैं। तीन महीने की मियाद बहुत ज्यादा है और जो मने उस वक्त कहा था

वही आज भी मेरी राय है कि यह तीन महीने की मियाद बहुत ज्यादा है। लेकिन अब तो हम कानून बना चुके और गवर्नमेंट के प्रवृत्तियों पर इस बारे में ठी हो चुके—लेकिन तो भी गवर्नमेंट के प्रवृत्तियों पर आज एक अच्छा सासा प्रतिबन्ध (प्रोविसोरी) रखा गया है।

सन् १९५४ में जब इस तरीके का रेजोलूशन आया था कि इस कानून के ऐक्सटेंड किया जाय या नहीं किया जाय तो मैंने इसको अपोज किया था कि आप इसको तीन साल के लिये न बढ़ाइये और अब भी मेरी राय यही है। मैं समझता हूँ कि गवर्नमेंट को इसके लिये क्रेडिट मिलना चाहिये और मैं अपने उन दोस्तों से जो इसकी इतनी सख्त नुक्ताचीनी करते हैं पूछना चाहूंगा कि मुझे वे दुनिया की कोई एक भी गवर्नमेंट दिखाइये जिसका कि यह शानदार रेकार्ड रहा हो जैसा कि हमारा गवर्नमेंट का इस बारे में रहा है। यह इस गवर्नमेंट का ही शानदार रेकार्ड है कि १० हजार से वे २०० के ऊपर नादात ले आई और मैं समझता हूँ कि वह तादाद २०० भी नहीं होगी। आप इसमें मे पंजाब के डेटेन्यूज को निकाल दीजिये और उसके लिये मैं वज्रहात दूंगा कि क्यों पंजाब वालों का इसमें शुमार नहीं होना चाहिये। इस तरह कुल १०० आदमी रह जाते हैं। इससे अच्छा ट्रिब्यूनल, इससे अच्छा रेकार्ड और इससे अच्छी रीपुटेशन आपको और क्या मिल सकती है, आप बेकार में ही बबड़ाये चले जा रहे हैं। मेरे खयाल में मैं ने उस वक्त भी प्रश्न किया था कि इन हालात को देखते हुए जिस तरीके से गवर्नमेंट चल रही है, जिस तरह से गवर्नमेंट कदम आगे बढ़ा रही है, गवर्नमेंट अपने अन्दर क्यों ऐसा महसूस करती है कि बिना इस कानून के उनका काम नहीं चलेगा अगर १०० आदमी वह इस तौर पर नजरबन्द करके न रखें। मैं तो समझता हूँ कि इसकी वजह से ऐसे शख्स जो कि मामूली कैदी की कैटेगरी में आते हैं और मामूली कैदियों पर आर्डिनेरी ला के

## [पंडित ठाकुर दास भार्गव]

घन्वर कैद होने से ४ घाने या ६ घाने रोज का खर्चा सरकार पर आता है वहा इस नजरबन्दी कानून के मातहत पकड़े जाने पर जेल में उनका ढाई घांटे रोज सरकार से मिलता है और पिछले दिनों उनके घर वालों के वास्ते कुछ तनख्वाह भी दी जाती थी। मैं इस चीज के हक में हूँ कि अगर कोई आदमी ला की निगाह में बेगुनाह है तो उस पर किसी किस्म का घननेसारी रिस्ट्रिक्शन नहीं होना चाहिये लेकिन उनमें से कितने ऐसे हैं जो उन कंडिशन में जो कि उनको वहा पर इन कानून के कारण शामिल है, मात बर्ष तक जेलखाना भुगतने का तैयार होंगे। एक तरह से प्रिवेंटिव डिटेनन और मामूला जो तरीके हैं, उन में रात दिन का फर्क है। अभी मेरे लायक दास्त, आनरेबल मेम्बर प्रितीबिग भी, ने यह गवर्नर दिनाई कि फडामेंटल ह्यूमन राइट्स का जो मामला है उसको गवर्नमेंट पार्टी है इनलिये यह कानून ठीक नहीं है। यही वाज मन् १९४४ में महाराजा पटना ने देश को था। मैं उस का जवाब दिया था कि आप मार ह्यूमन राइट्स की तकसीन का देख लाजिए, कहीं प्रिवेंटिव डिटेनन का जिक्र नहीं है। वह सिर्फ क्रिमिनल अफेयर्स के लिये है, और क्रिमिनल अफेयर्स के लिये जो कानून पाम किया गया है उस में कहीं ऐसा नही है कि

"A person can be condemned without being heard"

इसलिये मैं धर्ज करूंगा कि यह गिकायन कि हम किसी फडामेंटल ह्यूमन राइट के खिलाफ जा रहे हैं मिसकमोस्ट है। इस के लिये कहीं भी प्रिवेंटिव डिटेनन का जिक्र नहीं है। मुझ यह बतलाया गया कि प्रिवेंटिव डिटेनन ला बहुत बुरा है। लेकिन मरा नाकिम राय में यह अखल दर्ज का ला है। बजाय इस के कि लोग जर्म कां और हम उस के नतीजे भुगतने, देश में बराबी हा, हर एक जर्म से देश में बराबी होती है, अगर हम को रोकने के लिये

ऐसे तरीके रखे जाएं तो कोई हर्ज नहीं हो सकता है। एक बेगुनाह आदमी को आप मार दे, यह गलती होगी, लेकिन अगर आप मर्हा तरीके पर ऐसा कानून बनाए जिस में जो जर्म करने वाला है, उसे जर्म करने में बाज रखे जा सके, तो इस से बड़ कर कई अच्छा काम गवर्नमेंट का नहीं हो सकता। प्रिवेंटिव डिटेनन का जो इलाज का तरीका है उसके चलने में आप के आधे जेलखाने बन्द हो जायेंगे बरातें ठीक तरह से प्रिवेंटिव आफ काइम हो सके। इसी तरह मैं धर्ज करना चाहता हूँ कि यह कहना भी कि दुनिया में इस तरह का कोई कानून कहीं नहीं है, गलत है। जहा भी जबरन लाया है उस तरह के कानून रखे जाते हैं। डिफेंस आफ इंडिया निक्वियारिटी आफ स्टेट और निक्वियारिटी आफ उडिया इन नाना चीजा में एडिज वाज काई भी हमारा लिय नहीं हो सकती। जो भी इन नाना के खिलाफ काम करता है उस का काई भी मजा दो जा सकता है नाकि हमारा स्टेट बासयाब हो सके। जो आदमी टिफंस आफ इंडिया के खिलाफ काम करता है जो मुक्त क तरीके नही चाहता जो सारी स्टेट का खत्म करन के तैयार हा वह किसी भी हमदर्दों वा मन्तव्य नहीं हो सकता। लेकिन हर एक आदमी जब तक वह मिटिजन है हर एक सहूलियत वा इवदार है। महान्मा गांधी के मारने वाल गाइनों का भी पूरी सहूलियत में जल म रखे गया, जिस न देश के सब से बड़ नेता की हत्या की थी उस के लिये भी रियायतें दी गई। उसके वास्ते जेल क सुस्त तब्दील किये गये ताकि उस की हेल्थ ठीक हो। मैं इस चीज का कायल हूँ कि जो आदमी देश का सिटीजन है उस को मिटीजनशिप के सब अवस्थार शामिल होने चाहिये और कानून का पूरा प्रोटैक्शन उसे मिलना चाहिये, चाहे वह जेल के अन्दर हो वा जेल के बाहर हो। इसलिये मैं धर्ज करूंगा कि जो भी आदमी इस चीज के बर्ज-

लाफ कही जाती है, इस प्रिवेंटिव डिटेंशन के बसिलाफ, वह हमारा इन्हेरिट किया हुआ प्रेजुडिस है। हम में वह जमाना देखा है जब कि हमारे सब लीडरों को पिछली गवर्नमेंट रोज डिटेन करती थी और हमें तकलीफ पहुंचाती थी। और वह चीज हमारे दिमागों में से अभी भी निकल नहीं पाई है और हमें यह प्रिवेंटिव डिटेंशन भी उसी चीज में बलाघ्न नजर आता है जो ब्रिटिश गवर्नमेंट के जमाने में थी। मुझे उन दिनों के कितने मालूम हैं, मैंने खुद देखा है कि किम तरह के वाययात होते थे। लेकिन जो प्रिवेंटिव डिटेंशन ब्रिटिश गवर्नमेंट के जमाने में था उस का इस प्रिवेंटिव डिटेंशन से क्या मुकाबला है? आज फेक्ट्स एंड फिगर्स को देखिये और उस के बाद नतीजा निकालिये। आज मुल्क के सामने जो आफत आ गई है, उस के सामने यह प्रिवेंटिव डिटेंशन कोई चीज नहीं है। कहा जाता है कि इतने आदमी जेल में बन्द कर दिये गये हैं। मैं कहता हूं कि यह एक बहुत छोटा सा मामला है। अगर हिन्दुस्तान के ४० करोड़ आदमियों में से १०० या २०० आदमी बन्द भी कर दिये गये तो क्या हुआ। मैंने सन् १९५४ में भी कहा था, और आज भी कहता हूं कि आज जो कुछ हो रहा है वैसे मामलों के लिये प्रिवेंटिव डिटेंशन एक ठो कायम रक्खा जाये। आज हम जानते हैं कि पाकिस्तान में क्या हो रहा है, और मेजर अकबर खा क्या कर रहे हैं। वहां के जासूस आते हैं, अपने साथ बेनियां भी भर कर लाते हैं और यहां के लोगों को प्रलोभन देना चाहते हैं, सिम्पॉरिटी के बिलाफ उन की कार्यवाहियों से मालम होता है कि क्या सराबियां वह कराने को तैयार हैं?

**Shri Punnoose:** Sir, I believe the majority in the House is almost convinced that the Bill is very necessary. Then, some time should be given to those who want to argue against it.

**Pandit Thakur Das Bhargava:** I have not understood the objection. Is it a point of order?

**Mr. Deputy-Speaker:** It is no point of order. He only wants that those who want to oppose should also get some time and not only those who want to support it.

**Pandit Thakur Das Bhargava:** I was also in the Chair, yesterday, Sir. So far as Congress Members were concerned, there was only one instance when they spoke one after the other otherwise everytime an opposite make attracts with coppers ment. When I was in the Chair I took serious care to see that the Opposition is given more time. I am also of the view that opposition should get proportionately more time.

**Mr. Deputy-Speaker:** At the same time, Pandit Bhargava should try to conclude.

**Pandit Thakur Das Bhargava:** I will certainly conclude. But for a Communist to say that a Congressman should not be given time.....

**Mr. Deputy-Speaker:** That complaint is not well-founded.

**पंडित ठाकुर दास भार्गव :** मालूम ऐसा होता है कि मिस्टर पुन्नूस मेरे आर्गुमेंट से इतने मुतासिर हुए हैं कि वह मेरी तरफ हो गये हैं।

**उपाध्यक्ष महोदय :** उन्होंने कहा भी यही है कि हाउस तो इसे मंजूर कर चुका है।

**पंडित ठाकुर दास भार्गव :** तो मैं प्रार्थना करूंगा कि जहां तक इस प्रश्न का ताल्लुक है, मेरी पोजीशन यह है कि मैं इसके कंतिनुएंस के हक में हार्जिज नहीं हूं। मैं इस बात के हक में हूं कि इस के बजाय एक ऐसा कानून बने जो कि इन तीन चार चीजों के मुताल्लिक हो। मैं जनाब की सन् १९५१ की स्पीच कोट कर सकता हूं। जनाब का प्रमैडमेंट मुझे याद है। जब कि पंजाब के प्रन्दर भगड़ा हो कर चुका था तो जनाब ने यह फरमाया था कि प्रच्छा होता अगर इसमें से पब्लिक आर्डर निकाल दिया जाता। मैं कहता हूं कि इन्ही चार चीजों के लिये यह कानून जरूरी है : डिफेंस आफ

[पंडित ठाकुर दास भार्गव]

इंडिया, सिक्योरिटी आफ स्टेट, सिक्योरिटी आफ इंडिया और फोरेन रिलेशन्स । इन चार चीजों के लिये यह कानून बिल्कुल जरूरी है और अगर इस को सिर्फ इन चार ही चीजों के लिये बनाया जाये तो मैं कह सकता हूँ कि बहुत से दोस्त जो आज इस के मुखालिफ हैं, वह इसके साथ होंगे । साथ ही इस के अन्दर मैं यह नहीं चाहता कि एक साल रखें । मैं चाहता हूँ कि आप को दफा २२(७) के अन्दर जो पावर्स मिली हैं, उन्हें इस्तेमाल करें, उन के मातहत आप इस को ज्यादा अर्से के लिये रखें । ऐसे आदमी, जिन की हालत यह हो कि वह इस तरह की कार्यवाहियां करने को तैयार हों, मैं पूछना चाहता हूँ कि वह हमारे दोस्त हैं या दुश्मन हैं ? मैं चाहता हूँ कि उन के खिलाफ आप के पास जो पावर्स हैं, उन का पूरा इस्तेमाल हो । पहले जब यह कानून बना था, तब सरदार साहब ने फरमाया था कि वह इसे परमानेंट प्राविजन नहीं बनाना चाहते । मैं पूछता हूँ कि क्यों नहीं बनाना चाहते, जब कि हमारे देश के वास्ते यह जरूरी है ? आप इसको परमानेंट नहीं बनाना चाहते क्योंकि आप डरते हैं कि बदनामी होगी अगर स्थायी कानून बनाया गया मेरी राय में हमें बदनामी से नहीं डरना चाहिये और देश की जरूरत के मुताबिक कानून बनाना चाहिये इस वास्ते मैं कहता हूँ कि नया कानून बनाइये । और जब तक वह कानून बने, उस वक्त तक के लिये इसे कन्टिन्यू कर दिया जाये । क्योंकि देश को नुकसान पहुंचाने वाली चीजों के इलाज के लिये ऐसा करना जरूरी है । इस वास्ते मैं जनाब की खिदमत में दो बातें और अर्ज करना चाहता हूँ । किसी कोमी गवर्नमेंट के खिलाफ मजमई कार्यवाही जायज नहीं है । इस वास्ते कोई भी मूवमेंट हो, वह अच्छा हो या बुरा हो, जो गवर्नमेंट के बखिलाफ काम करता है, जो आर्गनाइज्ड अथॉरिटी को नीचे गिराने के वास्ते कोअर्शन करता है, गवर्नमेंट को किसी भी कोर्स आफ ऐक्शन के लिये मजबूर

करता है, मैं उसूलन उस के खिलाफ हूँ । मैं उसे सही मानों में ला एंड आर्डर के बखिलाफ म्यूनिटी का दर्जा देता हूँ । मैं ऐसे मूवमेंट के खिलाफ हूँ । कोई मूवमेंट, चाहे वह कितना ही पवित्र हो, अगर गवर्नमेंट को झुकाने के लिये हो, और उस के तौर पर हो, उस को गवर्नमेंट को दबाना चाहिये । गवर्नमेंट और सत्याग्रह की मूवमेंट दोनों अर्से तक साथ जिन्दा नहीं रह सकती ।

इसके बाद मैं जनाब की तबज्जह पंजाब के चन्द मामलों की तरफ दिलाना चाहता हूँ । यह मेरी बदकिस्मती है कि पहली गवर्नमेंट जो थो सच्चर गवर्नमेंट उस ने हजारों लोगों को कैद में डाल दिया, इसका मुझे बड़ा दुःख हुआ था, वह भी जमाना मुझे याद है जब आप को भी कैद कर दिया गया था । मैं आप को बतला नहीं सकता कि मुझे उस वक्त कितना दुःख हुआ । उस के बाद पन्त साहब की मेहरबानी से, या कुछ भी समझ लोजिये, एक वक्त आया कि हम यह सोचने लगे कि पंजाब के अन्दर वह हालत आयेगी जब कि हिन्दू और सिख मिल कर रहेंगे और बड़े प्रेम से रहेंगे, जैसा कि उन को हक है, और उस के वास्ते कोशिश की गई । कोशिश करने में कोई गलती हुई या नहीं, इस का तो मैं इस वक्त जिक्र नहीं करना चाहता, लेकिन यह जरूर अर्ज करना चाहता हूँ कि अब जो मूवमेंट चल रहा है, उस का जिक्र हाउस में आया । मैं उस की मेरिट्स में नहीं जाना चाहता । मैं सिर्फ इतना कहना चाहूंगा कि जहां तक उस की ऐंशियल मेरिट्स हैं, मैं उन के खिलाफ नहीं हूँ । हरियाना वालों के और हिन्दी वालों के जेनुइन ग्रीवान्सेज भी हैं जिन से मैं सहमत हूँ लेकिन यह मौका उन पर बहस करने का नहीं है । और न मैं उन को जस्टीफाई करने के वास्ते इस वक्त बोल रहा हूँ । जिस के वास्ते मैं बोल रहा हूँ वह यह है कि डा० काटजू ने कहा था और पन्त जी ने कहा



या कि इंस्टांसेज बतलाओ जिन में खराबी हुई है—आज पंजाब में कोई आर्डर गवर्नमेंट नहीं है। आज पंजाब में रेन आफ़ टैरर है एक महीने में २० जून से २२ जुलाई तक बूढ़े आदमियों और औरतों को लारियों में पकड़ कर चालीस चालीस मील दूर ले जाया गया और जंगल में छोड़ दिया गया। मैं जानना चाहता हूँ कि यह कौन से कानून के मातहत हुआ। जिन लोगों ने इस तरह से बूढ़े मर्दों और बूढ़ी औरतों को ले जा कर चालीस मील दूर आधा रात को छोड़ा है उन के खिलाफ़ दफा १४२ में कार्यवाही की जानी चाहिये। यह डिटेन्शन एक्ट तो किसी भले आदमी के लिये है। पंजाब में कुल ११५ आदमी इस एक्ट के मातहत पकड़े गये जिन में से ६० एडवाइजरी बोर्ड ने छोड़ दिये। लेकिन मैं पूछना चाहता हूँ कि ये जो ६० आदमी छोड़े गये ये भी किसी मां के बेटे थे। कई कई महीने उन को कैद में रखा गया। जिस शख्स ने उन को कैद किया, जिस ने उन के खिलाफ़ झूठे ग्राउन्ड्स बनाये उन के खिलाफ़ कुछ नहीं किया गया। इस एक्ट के अल्फाज हैं :

"Whoever acts prejudicially against law and public order, now the question is who has acted against public order, who has acted illegally those who arrested these persons or those who were arrested. Those who took false information to the Minister and on every occasion adopted communal attitude and traded on caste".

उन के खिलाफ़ इस कानून का इस्तेमाल होना चाहिये। हजारों आदमियों को गलत गिरफ्तार किया गया, जेरे दफा १०७/१४६ कह दिया गया कि फलां कत्ल होने वाला है उस की वजह से गिरफ्तार किया गया है। यह प्रिवेंटिव डिटेन्शन तो कहां है लेकिन उस से कहीं बुरा है। मैं कोई मिस स्टेटमेंट नहीं करता लेकिन मैं बड़े अदब से अर्ज करना चाहता हूँ कि आप इस की जूडिशियल एन्क्वायरी करेंगे कि जो अख्तियारात आप ने दिये थे उन को सही तौर पर बरता गया

या नहीं। पर ऐसा किया नहीं जाता। पिछली दफा भी यही हुआ और अब को बार भी यहां हो रहा है।

एक जिले में ३०० या ४०० आदमियों पर एक लाख ६० हजार का जुर्माना कर दिया गया और जुर्माने में लोगों के बैल हलों में से खोल कर कुर्क कर लिये गये.....

**उ. अध्यक्ष मशौदय :** माननीय सदस्य के फीलिंग को तो मैं समझता हूँ लेकिन वक्त बहुत ज्यादा हो चुका है। जों कुछ वह कह रहे थे उसे एक मिनट में कह कर खत्म करें।

**पंडित ठाकुर दास भांवा :** मैं खुद इस बात को चाहता हूँ कि लोकल गवर्नमेंट अच्छी हो रेगुलेटेड हो और आरगेनाइज्ड हो, क्योंकि ऐसा नहीं होगा तो वह कमजोर हो जायेगी और सारा देश कमजोर हो जायेगा। मैं यह अर्ज करता हूँ कि मैं इस तरह के किसी ऐसी मूवमेंट को सपोर्ट नहीं कर सकता। मैं ने पंजाब के मूवमेंट को हमेशा कंडेम किया है और मैं चाहता हूँ कि वह कामयाब न हो। अगर ऐसा होगा तो हमारी गवर्नमेंट रहेगी। अगर आरगेनाइज्ड गवर्नमेंट है तो वह चेंज भी हो सकती है। लेकिन अगर गवर्नमेंट नहीं रहेगी तो ठीक नहीं होगा। मेरा यह मत नहीं है कि वह जैसे श्री ब्रज राज सिंह साहब का है ऐसा आन्दोलन करते ही रहेंगे। मेरा ख्याल है कि आरगेनाइज्ड गवर्नमेंट के खिलाफ सत्याग्रह करना म्यूटिनी के बराबर है और मेरे पास वर्ड्स नहीं हैं कि जिन से मैं उसे कंडेम करूं। मैं इस के उम्तल के ही खिलाफ हूँ। लेकिन जो नेक काम के वास्ते जेल जाते हैं उन के मोटिव को तो सराहता हूँ लेकिन वे मिसगाइडेड हैं और देश को हानि पहुंचाते हैं।

**Mr. Deputy-Speaker:** Shri Ajit Singh Sa hadi. He will be very brief.

**Shri Ajit Singh Sarhadi (Ludhiana):** I will take ten minutes. Pandit Thakur Das Bhargava has taken 25 Minutes.

**Mr. Deputy-Speaker:** Ten minutes only.



**Shri Ajit Singh Sarhadi:** Mr. Deputy-Speaker, Sir, I rise to support the clause under consideration and oppose the amendments. But I have got sufficient reasons for supporting this clause. I honestly feel, that if there ever was an occasion when the continuance of this Preventive Detention Act was necessary, I believe it is now when the disruptive and disintegrating forces in the country are gaining ground.

I come from a border State which at one time was the sword arm of India and which has proved to be a granary of India. Being from a border State I feel that my submission will receive due consideration at the hands of the Government. There are two conclusions which are obvious from the debate which we have had for the last two days. First, every section of the House stands by the fundamentals of democracy and contend there should be freedom of speech, that there should be freedom of the press, that there should be due protection of the person and property and there should be Rule of Law. There is a general consensus of opinion on this also, namely, that when there is an emergency, there should be an emergency legislation to meet that. But the only emergency that is postulated for emergency legislation is that either there should be an external aggression or internal commotion or civil war. The object is that we have got to meet a situation that tends to disrupt the country, disintegrate its unity or trend the sections apart. We have got to see at present whether such a situation prevails or not. I can say about Punjab that such a situation does prevail and prevail in greater force. I am sorry to say this

I have heard with care and attention the speeches of my friends, Lala Achint Ram—of course I was not present then but I have read his speech—of Pandit Thakur Das Bhargava for whom I have got very great regard, and of my friend Shri Vajpayee. It is a strange thing that today we find that there is an identical

trend and tenor in the speeches of the two opposite blocs. It means that we are being swept by sentiments and we are not facing the situation in a realistic manner.

Much has been said about Punjab. Many of the speakers have already referred, mainly Lala Achint Ram, to some extent by Pandit Thakur Das Bhargava and entirely by Shri Vajpayee—to Punjab, and they have also tried to say that one section of the people is being brutally dealt with. I am pained to hear this. I wish they would see the situation and also appreciate the background. Lala Achint Ram says that the entire community has become Jan Sangh. I challenge that remark. Of course I can say that Lala Achint Ram is finding company with Shri Vajpayee in that respect

At the recent elections there, the Congress has succeeded by an overwhelming majority. The entire community has not become Jan Sangh. All the people of a particular community—except a small section which is limited to the urban area and that too to a limited extent—have got the interest of the country firm and foremost in their minds

I ask those Hon'ble Members to accept the challenge, in respect of any constituency in the Punjab. I refer to the rural constituencies, leaving aside the five or six urban constituencies. My respectful submission to this House is this. Let us appreciate the background of this movement. The Prime Minister has definitely stated that this movement has got to linguistic basis or cultural basis. It is purely a political and factional movement, disruptive in tendency and most dangerous to the unity of the country. I beg of the House to consider this Bill in this perspective and with this background

What is the background of the present movement which is conducted in Punjab, though, to some extent, it is fading now? Shri Vajpayee has

referred to the Regional formula. I am glad that he has not supported the movement. He has not condemned it also. He has stated that certain adjustments were arrived at between the Akalis and the Government by the back door without consulting anybody. May I inform him that this understanding was arrived at somewhere in the beginning of 1956, whereas the Sachar formula was agreed to somewhere as back as 1950? 30th May 1957 was the day fixed for the movement, just after the elections, when certain people were defeated and found themselves in bad straits they started indulging in this. Is it not very significant that this very clause of the Sachar formula, which is being taken as a reason for the agitation after 30th May 1957, was accepted by the Cabinet of the Punjab as far back as 1950 or 1951? Does it not show that something different is at the bottom than the linguistic basis or the compulsion, which is being alleged.

**Shri Khadilkar:** May I know whether Punjab formula is being discussed or the Preventive Detention Act?

**Shri Ajit Singh Sarhadi:** I am discussing the justification for the continuance of the Preventive Detention Act. I am referring to the situation that is prevalent in Punjab particularly as a justification for that.

**Mr. Deputy-Speaker:** He has referred to this formula. Now the Bill should be discussed.

**Shri Ajit Singh Sarhadi:** It has been stated by Shri Vajpayee that if this Act is given to the Punjab Ministry, there will be a rule of terror. I honestly think that never has that Government met a situation except with leniency, calmness and intelligence. Does he forget that the present Ministry of Punjab has tried to cope with the present situation in a most non-violent manner. But what did the other side do? On the other side, the police were beaten up. They jumped over the walls of the Secretariat, broke the windows...

**Mr. Deputy-Speaker:** Again, the same objection would be taken. Now the preventive part might be considered.

**Shri Ajit Singh Sarhadi:** I say that prevention is always much better than cure. I request that I should be given more time.

**Mr. Deputy-Speaker:** Let the hon. Member continue his speech

**Shri Ajit Singh Sarhadi:** It has been stated that the movement has been non-violent. What was done in Chandigarh?

**Shri Nath Pai:** What was done by the police in Ferozepur jail?

**Shri Ajit Singh Sarhadi:** That has nothing to do with the party. That was something that was done by certain officials. The law must be enforced.

**Pandit Thakur Das Bhargava:** Is the Government not responsible for that?

**Shri Ajit Singh Sarhadi:** Certainly, Government has to punish the culprits. Government appointed a Judge of the High Court to enquire into the matter.

**An Hon Member:** A copy of the full report has not been published.

**Mr. Deputy-Speaker:** We are going into extraneous consideration.

**Shri Ajit Singh Sarhadi:** I request that I may be saved from the interruptions so that I may continue.

**Mr. Deputy-Speaker:** Sometimes I myself am helpless

**Shri Ajit Singh Sarhadi:** I say that we have to judge the legislation from the point of view of the existing conditions. In view of the circumstances that are prevalent in Punjab, not only in the Punjab but in the South also, I am of the opinion that this Act should continue. In the South also the disintegrating forces are at work. The Constitution, to which we all have agreed unanimously, is being treated with disrespect.

[Shri Ajit Singh Sarhadi]

The flag is being treated with disrespect. Are these things not sufficient for having a legislation of this type?

What is this legislation? The provisions of this Bill postulates an enquiry. I have myself been a victim of this Act. I was arrested under the Preventive Detention Act only two years ago. Within two months of my arrest, they came to certain conclusion. My case was referred to the advisory board. I put up my case before the advisory board. They decided that there was no case against me and they acquitted me. Even an ordinary criminal case would take more than two months. But I was released earlier than that.

Certainly I think that the rule of law should always be there. But we have got to see whether there is an emergency or not. Ours is a country which has recently got independence. We have got to bring in uniformity. We have achieved unity by liquidating the States, because of the patriotism of the princes. That has contributed to the unity. But we have to build strength and stability in the country. That can be done only if we integrate the different sections of the community. How can we do it unless the Government is armed with certain preventive powers for that? Therefore, I beg to submit that from every point of view there is justification for the continuance of this Preventive Detention Act.

16.17 hrs.

Shri Datar: Mr. Deputy-Speaker, there were two amendments which were under consideration. But the discussion was entirely on the original Bill, namely, on the merits or otherwise of the Bill. Secondly, there was also another difficulty. A lot of matters which were absolutely irrelevant were brought in. My friend, Shri Khadilkar, suggested that Punjab ought not to have been brought in. But may I point out to him in all humility that he himself brought in

Samyukta Karnataka; I am sorry, Samyukta Maharashtra.

Shri Nath Pai: He has spoken his mind.

Shri Datar: That is absolutely irrelevant, so far as the Preventive Detention is concerned. Under these circumstances, only a few arguments have been placed before us and I would not deal with the irrelevant matter. I shall only point out that so far as new points that have been raised in this discussion are concerned, they have no validity at all.

It was contended that the Act was not necessary for two grounds. The two hon. Members suggested entirely two grounds. One suggested that inasmuch as the number of detenus was very small, there was no need for the Act. I would, in this connection, point out to this House that the very presence of the Act on the Statute book had the restraining influence. Now, had that Act not been on the Statute book at all, things would have worsened and, perhaps, we would have been compelled to pass through circumstances which are not very good to contemplate.

Two points have to be noted in this connection. Whenever there is reasonable suspicion, whenever any precaution has to be taken, then Government acts and the result of the act is to be seen from the fact that thereby public tranquility has been maintained and is not allowed to be impaired. So, I would request the hon. Member to look at this from this point of view.

If, for example, there is a leader who tries to remain behind the scenes, who want to incite the people to violence. If he is arrested in time, then naturally considerable irreparable damage to the public could be completely removed. That is why this particular aspect of the case has to be looked into. The number of detenus should not be the criterion. If the number is small, it is a matter to our credit. It means that the State Governments have been exercising their powers under this Act with the greatest care and consideration.

Then, my hon. friend, Shri Khadilkar suggested that the transitional period was over. The Constitution came into vogue in 1950 and so the transitional period after either the attainment of Swaraj or after the inauguration of the Constitution is also over because seven years have gone by. Therefore, what is the need for this Act? According to him, this is an extraordinary measure. May I point out to him that even now there are circumstances which warrant its continuance. As the hon. the Home Minister pointed out there are here and there anti-social elements which are not happy that the things are going on properly and steadily. Therefore, with a view to check such persons Government have to be armed with such powers.

**Shri A. K. Gopalan (Kasergod):** How long?

**Shri Datar:** As the House is aware, the first Home Minister of India tried to have it only for one year. As far as possible such Acts should not be on the Statute Book but when it was found that the conditions were not normal and there are anti-social elements which intend to keep the conditions in an absolutely abnormal manner Government must have power to see to it that all such anti-social elements are properly curbed in the interest of the security of India, in the interest of public order.

My hon. friend Shri Thakur Das Bhargava said that we should have it only so far as defence of India or security of India is concerned. His implication was that it need not be so far as public order is concerned. But, Sir, may I point out when there are forces that are working against the maintenance or the stabilisation of all such conditions, is it or is it not proper that Government should be armed with certain powers of a precautionary nature? Therefore, if in the interest of the security of the State or public order a few persons are arrested—actually a very small number is arrested—things should be looked from the point of view of a larger interest. That is the reason why this

Act has got to be used. Therefore, if in exceptional cases this power has to be used, Parliament ought to arm the Governments of the States in particular with this particular power.

My friend Shri Thakur Das Bhargava brought in the question of Punjab. I am not going into the question of what is happening in Punjab, but I should not like my hon. friend to have used such expression as "reign of terror". It is extremely unfortunate that our senior hon. Members like Shri Thakur Das Bhargava use phrases which are pregnant with dangerous consequences. A very delicate situation is being tackled with in Punjab under these circumstances. If any such expressions are used what will be its effect? Let the hon. Member kindly consider this question. There are other ways of having things as he wants or others want, but let us not go on and say in the manner in which my hon. friend said that "there is reign of terror".

**Pandit Thakur Das Bhargava:** Does the hon. Minister know that Jallianwala incidents were repeated in Akbarpur?

**Shri Datar:** It has absolutely no reference to what is being done now. Unfortunately, we are just accustomed to the old phrases during the British regime. Those phrases are bodily used here. This is not a black Act, let the hon. House understand. We are borrowing those very expressions even after the independence of our country. Under these circumstances, I do desire that now that we have attained independence, now that we are carrying on our administration in an extremely satisfactory manner, let us also use expressions which are absolutely responsive and dignified in nature and let us lend ourselves into dangerous consequences. Under these circumstances, I submit, that strong case has been made out, and there is no case either for its extension only for a small period or even for one year.

**Shri Narayanankutty Menon:** On a point of clarification!

**Mr. Deputy-Speaker:** The hon. Member was absent. I wanted him to speak.

**Shri Narayanankutty Menon:** I do not want to speak. This Act is mainly intended to be used against anti-social elements. May I know during the last eight years of its working how many people connected with anti-social activities like hoarding and profiteering have been detained under the Act.

**Shri Datar:** The figures have been classified under different heads

**Mr. Deputy-Speaker:** There are three amendments—9, 14 and 15 prescribing different dates, 31st March, 15th January and 31st December 1958 respectively. May I put all these three together if there is no objection?

**Some Hon. Members:** Yes

**Mr. Deputy-Speaker:** I shall now put Amendments Nos. 9, 14 and 15 to the vote of the House.

**Shri Nath Pal:** We submit that should be put to vote

**Shri Dasappa (Bangalore):** May I rise to a point of order? If there was the slightest idea of the division they should have said so when you were pleased to tell the House whether you should put it separately or together. That was the occasion when they should have said it. But once having accepted that they should be put together, now to say that they should be put separately is not correct.

**Mr. Deputy-Speaker:** There ought to be no dispute. I am going to allow if it is insisted upon. Otherwise, really my intention was to find out whether opposition presses upon division on any of these amendments

Page 1, line 7,

for "31st day of December, 1960"  
substitute "31st day of March,  
1958".

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

Page 1, line 7,—

for "31st day of December, 1960"  
substitute "15 day of January,  
1958".

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

Page 1, line 7,—

for "31st day of December, 1960"  
substitute "31st day of December,  
1958".

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

Clause 2 stand part of the Bill.

Those who are for the motion will say 'Aye'

**Some Hon. Members:** Aye.

**Mr. Deputy-Speaker:** Those against will say 'No'.

**Some Hon. Members:** No.

**Mr. Deputy-Speaker:** The Ayes have it

**Some Hon. Members:** The Noes have it.

**Mr. Deputy-Speaker:** Let there be a Division.

*Lok Sabha divided:*

**Shri B. S. Murthy:** Sir, the instructions may be repeated, because many Members are making mistakes.

**Pandit J. P. Jyotishi (Sagar):** I did not get the light here; I wanted to vote for Ayes.

**Mr. Deputy-Speaker:** The result of the division is: Ayes: 156; Noes: 48.

## Division No. 12]

## AYES

16-31 hrs.

Abul Lateef, Shri  
 Abdur Rehman, Motvi  
 Achint Ram, Lala  
 Ajit Singh, Shri  
 Ambalam, Shri Subbiah  
 Anjanappa, Shri  
 Arumugham, Shri R. S.  
 Badan Singh, Ch.  
 Bajaj, Shri Kamalnayan  
 Balniki Shri  
 Banerji, Shri P. B.  
 Bengali Thakur, Shri  
 Berman, Shri  
 Basappa, Shri  
 Basumatari, Shri  
 Bhagat, Shri B. R.  
 Bhagavati, Shri  
 Bhakt Darshan, Shri  
 Bhargava, Pandit Thakur Des  
 Bidari, Shri  
 Birbal Singh, Shri  
 Birendra Singhji, Shri  
 Brahm Perkash, Ch.  
 Brajeshwar Prasad, Shri  
 Chanda, Shri Anil K.  
 Chaturvedi, Shri  
 Chavda, Shri  
 Chettiar, Shri R. Ramanathan  
 Damani, Shri  
 Das, Shri M. M.  
 Das, Shri N. T.  
 Das, Shri Shree Narayan  
 Dasappa, Shri  
 Datar, Shri  
 Deb, Shri N. M.  
 Dinesh Singh, Shri  
 Dube, Shri Mulchand  
 Elayaperumal, Shri  
 Gandhi, Shri Feroze  
 Gangs Devi, Shrimati  
 Ghosh, Shri M. K.  
 Gohokar, Dr.  
 Gounder, Shri K. P.  
 Gupta, Shri G. L.  
 Hajarnavis, Shri  
 Hasda, Shri Subodh  
 Hazarika, Shri J. N.  
 Heda, Shri  
 Iqbal Singh, Sardar  
 Jais, Shri K. C.  
 Jhunjhunwala, Shri  
 Jinachandran, Shri

Joshi, Shri A. C.  
 Joshi, Shrimati Subhadra  
 Kanakasabhai, Shri  
 Keahava, Shri  
 Keskar, Dr.  
 Khan, Shri Sadath Ali  
 Khedkar, Dr. G. B.  
 Khimji, Shri  
 Khuda Bukhsh, Shri M.  
 Kistaiya, Shri  
 Krishnamachari, Shri T. T.  
 Lachhi Ram, Shri  
 Lai, Shri R. S.  
 Maftida Ahmed, Shrimati  
 Maithi, Shri N. B.  
 Malaviya, Pandit Govind  
 Malaviya, Shri K. D.  
 Mandal, Dr. Pashupati  
 Maniyangadan, Shri  
 Manjula Devi, Shrimati  
 Masuriya Din, Shri  
 Mehdi, Shri S. A.  
 Mehta, Shri B. G.  
 Mehta, Shri J. R.  
 Mehta, Shrimati Krishna  
 Mishra, Shri Bibhuti  
 Mishra, Shri L. N.  
 Mishra, Shri R. D.  
 Misra, Shri R. K.  
 Mohammad Akbar, Shaikh  
 Munisamy, Shri N. R.  
 Murthy, Shri B. S.  
 Nadar, Shri P. T.  
 Naik, Shri C. K.  
 Naldurgker, Shri  
 Nanappa, Shri  
 Nathwani, Shri  
 Nayak, Shri Mohan  
 Nayar, Dr. Sushila  
 Nehru, Shri Jawaharlal  
 Nehru, Shrimati Uma  
 Ne ram Negi, Shri  
 Padam Dev, Shri  
 Pandey, Shri K. N.  
 Panna Lal, Shri  
 Parmar, Shri Deen Boodhu  
 Parmar Shri Y. S.  
 Pattabhi Raman, Shri C. R.  
 Patel, Shrimati Maniben  
 Pillai, Shri Thanu  
 Prabhakar, Shri Naval  
 Prasad, Shri Mahadeo

Radha Raman, Shri  
 Raghubir Sahai, Shri  
 Raghunath Singh, Shri  
 Rajiah, Shri  
 Ramanand Shastri, Swami  
 Ramsawami, Shri S. V.  
 Ram Suhag Singh, Dr.  
 Rane, Shri  
 Ray, Shrimati Renuka  
 Reddy, Shri K. C.  
 Reddy, Shri Viswanatha  
 Roy, Shri Bishwanath  
 Sahu, Shri Rameshar  
 Saigal, Shri A. S.  
 Samanta, Shri S. C.  
 Samantainhar, Dr.  
 Senganna, Shri  
 Sarhadi, Shri Ajit Singh  
 Satyabhama Devi, Shrimati  
 Shah, Shri M. nabendra  
 Sharma, Shri D. C.  
 Sharma, Pandit K. C.  
 Sharma, Shri R. C.  
 Shastri, Shri Lal Bahadur  
 Shivananappa, Shri  
 Shobha Ram, Shri  
 Shukla, Shri V. C.  
 Siddananappa, Shri  
 Siddiah, Shri  
 Singh, Shri D. P.  
 Singh, Shri H. P.  
 Singh, Shri K. N.  
 Singh, Shri T. N.  
 Sinha, Shri Jhulan  
 Sinha, Shri Surya Narayan  
 Sontak, Shri Nardeo  
 Sonawane, Shri  
 Subbarayan, Dr. P.  
 Subramanyam, Shri T.  
 Tewari, Shri Dwarikanath  
 Thakur Das, Lala  
 Thimmaiah, Shri  
 Thomas, Shri A. M.  
 Tripathi, Shri V. D.  
 Uike, Shri  
 Umrao Singh, Shri  
 Upadhyaya, Shri Shiva Datt  
 Varma, Shri B. B.  
 Varma, Shri M. L.  
 Vedakumar, Kumari M.  
 Vishwanath Prasad, Shri  
 Wanuk, Shri Bal Krishna  
 Wodeyar, Shri

## NOES

Amar, Shri  
 Banerjee, Shri Pramathanath  
 Banerjee, Shri S. M.  
 Barua, Shri Hem  
 Bharucha, Shri Nandur  
 Brij Raj Singh, Shri

Brij Narayan "Brijiah", Pandi  
 Chakravarty, Shrimati Resu  
 Chaudhuri, Shri T. K.  
 Chevan, Shri D. R.  
 Dange, Shri S. A.  
 Desaretha Deb, Shri

Dasgupta, Shri B.  
 Dharmalingam, Shri  
 Dige Shri  
 Gaikwad, Shri B. K.  
 Ghose, Shri  
 Ghose, Shri Bimal

Gopalan, Shri A. K.  
 Goray, Shri  
 Gupta, Shri Sadhan  
 Halder, Shri  
 Imam, Shri Mohamed  
 Iyer, Shri Baswara  
 Jadhav, Shri  
 Khadilkar, Shri  
 Kodian, Shri  
 Krishnaswami, Dr.

Mahagaonkar, Shri  
 Mahanty, Shri  
 Matera, Shri  
 Menon, Shri Narayanankutty  
 Mullick Shri B. C.  
 Nair, Shri Vasudevan  
 Nath Pai, Shri  
 Pandey, Shri Sarju  
 Parulekar, Shri  
 Parvathi Krishnan, Shrimati

Patel, Shri P. R.  
 Patil, Shri Balasheeb  
 Patil, Shri Nana  
 Punnoose, Shri  
 Singh, Shri Rajendra  
 Siva Raj, Shri  
 Thakore, Shri M. B.  
 Vajpayee, Shri  
 Valvi, Shri  
 Warior, Shri

*The motion was adopted.*

Clause 2 was added to the Bill.

**Mr. Deputy-Speaker:** The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Pandit G. B. Pant:** Sir, I beg to move:

*That the Bill be passed.*

**Mr. Deputy-Speaker:** That motion is before the House.

**Shrimati Parvathi Krishnan (Coimbatore):** Sir, the Home Minister when he was moving this Bill said that today there is a situation in the country which demands a measure of this type on the statute-book. Already my leader, Comrade Dange, has put forward our view-point on this and has pointed out how we think it is absolutely unnecessary. The Home Minister said this measure is to be used against anti-social elements. The Law Minister, when he was speaking, singled out Comrade Dange for his attack and said that the measure has been used against anti-social elements, it has been used most discriminately not only against communists but also against Congressmen. He also referred about the rumblings in a southern State and tried to make out that today it is necessary that he would welcome anti-democratic measures being implemented and used by the democratic government in Kerala. But he forgot to mention that in Tamil Nad, at the

time when the Ramanathapuram riots were taking place and before that, if the Government was really interested in maintaining law and order in this country, if the Government was really interested in preventing anti-social elements having their sway, then this Preventive Detention Act would have been used, not against communists, not against political opponents, but against the very Congress Ministers who are there in that State. It is well known in that State that whatever feelings were roused, whatever heat came up, whatever so-called communal disturbances took place, they took place after the speeches of various Ministers during a by-election, inciting the Harijans to violence and therefore today there is a blot on the people..... (*Interruption*).

**Shri B. S. Murthi (Kakinada—Reserved—Sch Castes):** I protest. There was no incitement to violence.

**Shri Khadilkar:** May I point out one instance? Shri Bhaktavatsalam said, "I will put Thevar on trisul".

**Mr. Deputy-Speaker:** Order, order.

**Shrimati Parvathi Krishnan:** We brought this to the notice of the authorities that such speeches were being made, that people were being roused, that various anti-social elements were let loose in the countryside, arms were being distributed, money was being distributed—all because they wanted to use various methods in order to combat their political opponents. An enquiry was held; we demanded an open judicial enquiry, but a mock enquiry was held



and a certain amount of white-washing has been done. Today unfortunately in Tamil Nad, wherever in the history of Tamil Nad has internecine warfare taken place, today unfortunately certain incidents have taken place and I maintain it is the Congress, the Congress Ministry and the Congress Party that will have to bear the responsibility for it. (Interruption)

**Mr. Deputy-Speaker:** It is the third reading of a particular Bill.

**Shrimati Parvathi Krishnan:** This is my first opportunity.

**Mr. Deputy-Speaker:** That cannot be an excuse.

**Shrimati Parvathi Krishnan:** I have to defend the fair name of my State and my people, and that is why I take this opportunity of saying this. And today if anybody is responsible for what is taking place in Tamil Nad, which has shocked not only India but the world, it is the Congress Ministry and the Congress Government and the Congress rulers who are responsible for it and not the Tamil people, whether they are Harijans or Marawars or of any other community, Reactionary and anti-social elements who were allowed to be let loose because of the Government's own policy.

In conclusion I would like to say this. The Law Minister talked of protecting our national flag. We certainly do realize that the flag has to be protected. We also want it to be protected. (An Hon. Member: Since when?) We do not want the flag which has come as a result of the martyrdom of millions in this country to be besmirched and in the name of that flag such an Act like this put on the statute-book. You can maintain law and order with all other laws on the Statue-Book.

The hon. the Prime Minister is the son of one of the stalwarts of our national liberation movement. He is not at the moment in his seat. But I would have liked to appeal particularly to him that it is his famous father who in 1929 stood up for democratic ideals, fought against the anti-

democratic actions of the British, and in fighting against the Preventive Detention Act in those days, said: My submission is that the principle of the Bill is a very simple one, and it comes to this, "where the courts will not convict, give us power to punish". Sir, I would appeal to the Government that is lead by the son of Pandit Motilal Nehru, let them not be guilty, let the Government not be guilty of trampling under foot the principles of democracy but try to uphold the principles of democracy for which he fought, he struggled and he suffered along with all of us who took part in the national movement.

**Shri Thanu Pillai (Tirunelveli):** Sir, the hon. Member from Coimbatore has brought the Madras Government into the discussion on the Preventive Detention Bill.

**An Hon. Member:** There is none from Madras to defend it.

**Shri Thanu Pillai:** The Congress and the Members on this side are capable of doing it

Sir, the hon. Members of the Communist Party are here to teach us democracy. It is the most sorrowful thing. We are trying to take a lesson from the Communists who do not believe in democracy, who do not believe in the Flag, who do not believe in the Constitution, who had in their meetings only their flag of hammer and sickle with the star near the edge when the Cultural Delegation from Russia came to Madras. Have they forgotten it? Now they say, defend the flag. Do you believe in the Flag, and the Constitution? That is my direct question.

**Mr. Deputy-Speaker:** At least I do believe.

**Shri Thanu Pillai:** The hon. Member spoke about the Madras Ministry and said this Act should be made applicable to the Madras Ministers.

The Communist Party is trying to exploit the situation by going to places where they could not have otherwise



[Shri Thanu Pillai]

entered. After this loot and arson they go with a peace brigade—as if peace was there in their life at any time. Peace for them means war.

**Shri Dange:** What is wrong in a peace brigade?

**Mr. Deputy-Speaker:** Wrong or right, whatever it is, he must address the Chair.

**Shri Thanu Pillai:** They go and create further trouble. The man responsible for loot and arson was taken into custody. Had he been taken into custody before the incidents took place, he would have said that twice he had won the elections and therefore for political reasons he was put in jail. When it was delayed and action was taken later, they say: what is the use of this preventive detention?

The Ministers of Madras are rather reluctant to apply this Act, that is my grievance. They should have applied and could have applied it much earlier, but they were rather reluctant because they did not want politicians to say that they were not in a position to secure success in one particular seat from Ramanathapuram which was very backward, where only feudal and communal leadership are known and hence this action. There has been no education, no improvement there not for the last ten years, but for the last 150 years it has been so.

These Members have been trying to exploit the Harijans. (Interruptions)

**Mr. Deputy-Speaker:** Order, order. Would the Chair be helpless?

**Shri Thanu Pillai:** ...in the 1952 general elections getting support from Shri Ramaswamy Naicker in Tanjore. The Dravida Kazhakam people supported the Communist Party, that cannot be denied.

**Shri S. A. Dange:** Supported the Congress.

**Mr. Deputy-Speaker:** If he continues to address the Chair, there will be no interruption.

**Shri Thanu Pillai:** They were supported, and Shri Ramaswamy Naicker subsequently regretted that he supported these people who could not be relied on. These are matters which appeared in the press, and Shri Naicker always speaks very clearly without any reservation, whether right or wrong. He is a man who spoke like that, and then he supported Rajaji's Government. When that was over, he is supporting Kamaraj's Government. Whoever comes to power he will be their supporter, and because the party in power is my party they are saying this. Let nobody misunderstand that the Congress Party has got anything to do with the Dravida Kazhakam or Shri Naicker. Acharya Kripalani today said that Congress Members have got so much love and affection and respect for him. We do have it in spite of his abuses.

I am saying of Acharya Kripalani. If that is shame, let them have it. It recoils.

**Mr. Deputy-Speaker:** Now the hon. Member should try to conclude.

**Shri Thanu Pillai:** I will finish in two minutes.

As regards the friendship of Rajaji, Kamaraj and a lot of others from Northern India for Shri Naicker, I may say he was, it was perhaps because he was the hero of Guruvayur satyagraha. He is 80 years old, a very old man, whose words are listened and not acted upon. That was the reason why there was such a tolerance on the part of successive Chief Ministers who came and that is being continued.

**Mr. Deputy-Speaker:** This would not be very material now.

**Shri Thanu Pillai:** The point is they say we incited violence in Ramanathapuram and all that, but the sequence of events is there.

**Shri Nath Pai:** What has it to do with the present Bill?

**Mr. Deputy-Speaker:** Order, order. No speeches are allowed while sitting.

**Shri Thanu Pillai:** The incident of Ramanathapuram was also started by a person who, I am sorry, is an ex-Congressman. Many ex-Congressmen are sitting on the opposite side. After frustration they go out. Like that, that man was one. He was a powerful communal leader, and even today in the State there is communal bias in those who have not had proper education, and incitement is a consequence of the linguistic division of India, and that linguistic division was asked for by them. Communalism and casteism are being exploited by them. It is wrong for them to put the blame at our door, because they once tried and succeeded partially, and now they have failed and are attempting it again. Therefore, they are coming to this House and saying: 'why not apply that law?' The Government of Madras should not be accused.

**Mr. Deputy-Speaker:** The hon. Member should conclude now.

**Shri Thanu Pillai:** One minute The Madras Government deserves defence from here because it has been drawn into the discussions from the other side on the floor of the House. Those Ministers are not here to reply for themselves. So, I have got to reply.

**Mr. Deputy-Speaker:** There will be many more opportunities when the Madras Government can be defended. He should conclude.

**One hon. Member:** Mr. Bakthavatsalam said 'We would treat Thevar like Sisupalan'.

**Shri Thanu Pillai:** Five minutes more, Sir.

**Mr. Deputy-Speaker:** Order, order. We ought to be more serious here. It

**Division No. 13]**

Abdur Rehman, Molvi  
Achal Singh, Seth  
Achint Ram, Lala  
Ajit Singh, Shri  
Ambalam, Shri Subbiah

Anjanappa, Shri  
Arumugham, Shri R. S.  
Ayyakanmu, Shri  
Badan Singh, Ch.  
Bejai, Shri Kamalnayan

is a subject that is very serious and we ought to pay our attention to it. The hon. Member would conclude within one minute now. There are no five minutes.

**Shri Thanu Pillai:** The Madras Minister Shri Bakthavatsalam is reported to have said something. He was only bringing in an analogy between right and wrong from mythology. How can people who do not believe in mythology and religion understand what he said. That is the reason why they accused Shri Bakthavatsalam. He was only quoting from mythology. And Shri Kakkan who was a Member of this House and we all know is the softest of persons, the mildest of men, who will never say any word harsh to anybody. Can he incite violence? Harijans are resorting to violence for the first time in the history of India; they have retaliated and that is what has caused anger in many quarters.

**Shri B. S. Murthy rose—**

**Mr. Deputy-Speaker:** Now is the time when the Preventive Detention Act should be passed.

The question is:

"That the Bill be passed".

The Lok Sabha divided.

**Shri T. K. Chaudhuri:** Sir, I have made a mistake.

**Mr. Deputy-Speaker:** The hon. Member has voted for 'Ayes'.

**Shri T. K. Chaudhuri:** Yes, I have voted for the 'Ayes'; but I wanted to vote for the 'Noes'.

**Mr. Deputy-Speaker:** Yes.

The result of the Division is: Ayes—164; Noes—51.

**AYES**

**[16:50 hrs.]**

Balmiki, Shri  
Banerji, Shri P. B.  
Bangshi Thakur, Shri  
Berman, Shri  
Boseappa, Shri  
Bosumatari, Shri

Bhagat, Shri B. R.  
 Bhagwati, Shri  
 Bhakt Darshan, Shri  
 Bhargava, Pandit Thakur Das  
 Bideri, Shri  
 Birbal Singh, Shri  
 Birendra Singhji, Shri  
 Brahm Perikash, Ch.  
 Brijeshwar Prasad, Shri  
 Chanda, Shri Anil K.  
 Charurvedi, Shri  
 Chaudhuri, Shri T. K.  
 Chavda, Shri  
 Chettiar, Shri R. Ramanathan  
 Desai, Shri  
 Das, Shri N. T.  
 Das, Shri Shree Narayan  
 Dasappa, Shri  
 Datar, Shri  
 Deb, Shri N. M.  
 Dinesh Singh, Shri  
 Dube, Shri Mulchand  
 Elayaperumal, Shri  
 Gandhi, Shri Feroze  
 Ganga Devi, Shrimati  
 Ghosh, Shri M. K.  
 Gohokar, Dr.  
 Gounder, Shri K. P.  
 Gupta, Shri C. L.  
 Hajarnavis, Shri  
 Hada, Shri Subodh  
 Hazarika, Shri J. N.  
 Heda, Shri  
 Iqbal Singh, Sardar  
 Jagirvan Ram, Shri  
 Jhunjhunwala, Shri  
 Jinachandran, Shri  
 Joshi, Shri A. C.  
 Joshi, Shrimati Subhadra  
 Jyotishi, Pandit J. P.  
 Kanakambai, Shri  
 Keshava, Shri  
 Kestkar, Dr.  
 Khan, Shri Sadath Ali  
 Khan, Shri Shah Nawaz  
 Khedkar, Dr. G. B.  
 Khimji, Shri  
 Khuda Bukhsh, Shri M.  
 Kimsiya, Shri  
 Krishna, Shri M. R.

Krishnamachari, Shri T. T.  
 Lachhi Ram, Shri  
 Lal, Shri R. S.  
 Mafta Ahmad, Shrimati  
 Majithia, Sardar  
 Maiti, Shri N. B.  
 Maleviya, Pandit Govind  
 Maleviya, Shri K. D.  
 Mandal, Dr. Pashupati  
 Maniyangadan, Shri  
 Manjula Devi, Shrimati  
 Masuriya Din, Shri  
 Mehdi, Shri S. A.  
 Mehta, Shri B. G.  
 Mehta, Shri J. R.  
 Mehta, Shrimati Krishna  
 Minumata, Shrimati  
 Mishra, Shri Bibhuti  
 Mishra, Shri L. N.  
 Misra, Shri R. D.  
 Misra, Shri R. R.  
 Mohammad Akbar, Sheikh  
 Munisamy, Shri N. R.  
 Murthy, Shri B. S.  
 Musafir, Giani G. S.  
 Nadar, Shri P. T.  
 Nair, Shri C. K.  
 Naldurgker, Shri  
 Nanayappa, Shri  
 Nathwani, Shri  
 Nayar, Dr. Sushila  
 Nehru, Shri Jawaharlal  
 Nehru, Shrimati Uma  
 Nek Ram Negi, Shri  
 Padam Dev, Shri  
 Pandey, Shri K. N.  
 Panna Lal, Shri  
 Parmar, Shri Deen Bandhu  
 Parmar, Shri Y. S.  
 Pattabhi Raman, Shri C. R.  
 Patel, Shrimati Maniben  
 Pillai, Shri Thanu  
 Prabhakar, Shri Narai  
 Prasad, Shri Mahadeo  
 Radha Raman, Shri  
 Raghubir Sahai, Shri  
 Raghuramiah, Shri  
 Rajiah, Shri  
 Ramchand Shastri, Swami  
 Ramaswami, Shri S. V.

Ram Subhag Singh, Dr.  
 Rane, Shri  
 Rangana, Shri  
 Ray, Shrimati Renuka  
 Reddy, Shri K. C.  
 Reddy, Shri Viewanatha  
 Roy, Shri Bishwanath  
 Sadhu Ram, Shri  
 Sahu, Shri Bhagabhat  
 Sahu, Shri Rameshwa  
 Saigal, Shri A. S.  
 Samanta, Shri S. C.  
 Samantnagar, Dr.  
 Sanganna, Shri  
 Sarhadi, Shri Ajit Singh  
 Satyabhama Devi, Shrimati  
 Shah, Shri Manabendra  
 Sharma, Shri D. C.  
 Sharma, Pandit K. C.  
 Sharma, Shri R. C.  
 Shastri, Shri Lal Bahadur  
 Shobha Ram, Shri  
 Shukla, Shri V. C.  
 Siddananiappa, Shri  
 Siddiah, Shri  
 Singh, Shri D. P.  
 Singh, Shri H. P.  
 Singh, Shri T. N.  
 Sinha, Shri Gajendra Prasad  
 Sinha, Shri Jhulan  
 Sinha, Shri Sarangdharma  
 Sinha, Shri Satyaendra Narayan  
 Snatak, Shri Nardeo  
 Sonawane, Shri  
 Subbarayan, Dr. P.  
 Tahit, Shri Mohammed  
 Tewari, Shri Dwarikanath  
 Thakur Das, Lala  
 Thimmush, Shri  
 Thomas, Shri A. M.  
 Tripathi, Shri V. D.  
 Uike, Shri  
 Umrso Singh, Shri  
 Upadhyaya, Shri Shiva Datt  
 Varma, Shri B. B.  
 Varma, Shri M. L.  
 Vedakumari, Kumeri M.  
 Vishwanath Prasad, Shri  
 Wazir, Shri Balkrishna  
 Wodeyar, Shri

## NOES

Amor, Shri  
 Banerjee, Shri Pramathanath  
 Banerjee, Shri S. M.  
 Barua, Shri Hem  
 Bharucha, Shri Nambir  
 Braj Raj Singh, Shri  
 Brij Narayan "Brijesh" Pandit  
 Chakravarty, Shrimati, Renu  
 Chevan, Shri D. R.  
 Dange, Shri S. A.

Dasaratha Deb, Shri  
 Dasgupta, Shri B.  
 Dharmalingam, Shri  
 Dige, Shri  
 Gaikwad, Shri B. K.  
 Ghosh, Shri  
 Ghose, Shri Rimal  
 Gopalan, Shri A. K.  
 Gorry, Shri  
 Gupta, Shri Sadhan

Halder, Shri  
 Imam, Shri Mohamed  
 Iyer, Shri Baswara  
 Jadhav, Shri  
 Kamble, Shri B. C.  
 Khadikar, Shri  
 Kodiyen Shri  
 Krishnaswami, Dr.  
 Mahagonkar, Shri  
 Mahanty, Shri

Mansy, Shri  
Matera, Shri  
Menon, Shri Narayanankutty  
Mullik, Shri B. C.  
Nair, Shri Vasudevan  
Nath Pai, Shri  
Paddey, Shri Sarju

Parulekar, Shri  
Parvathi Krishnan, Shrimati  
Patil, Shri Balasaheb  
Patil, Shri Nana  
Punnooe, Shri  
Salunke, Shri Balasaheb  
Singh, Shri L. Achaw

Singh, Shri Rajendra  
Siva Raj, Shri  
Thakore, Shri M. B.  
Vajpayee, Shri  
Valvi, Shri  
Warior, Shri

*The motion was adopted.*

## PAYMENT OF WAGES (AMENDMENT) BILL

**Mr. Deputy-Speaker:** The House will now resume further discussion on the Payment of Wages (Amendment) Bill, 1957. Out of 4 hours allotted for the Bill, 3 minutes have already been availed of and 3 hours and 57 minutes now remain.

Shri Abid Ali may continue his speech.

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, the other day I was explaining the provisions of some of the amendments to the Bill.

At present the Payment of Wages Act is applicable to employees whose wage does not exceed Rs. 200 a month. Now, the intention is to raise this limit to Rs. 400.

The Act at present does not apply to labour employed in the construction industry. This industry has assumed great importance with the large hydro-electric and other construction schemes. The workers engaged in the construction and maintenance of roads, bridges, canals, buildings or in operations connected with irrigation, navigation, generation, transmission and distribution of electricity, etc., are large in number, and they also stand in need of protection provided by this law. It is, therefore, proposed to extend the scope of the Act to this sector of employment.

The existing definition of the term 'wages' has given rise to certain practical difficulties, particularly in regard to its interpretation. I do not want to weary the House by going into the details of the different interpretations of the various terms used in the definition, but, I might mention

a few of the difficulties. In some cases the High Courts have ruled that the word 'wages' did not mean 'potential wages' but 'wages earned'. Then, the terms of payment under contracts of employment are nowadays frequently modified by the awards of Tribunals or by the terms of binding settlements which make it essential that the wages revised statutorily through adjudication, arbitration, conciliation or similar processes should also be deemed to be wages for purposes of the Act.

Further, the inclusion of bonus in the definition of 'wages' is causing some difficulty. Bonus is generally of two kinds; one is the periodical bonus often annual, but sometimes half-yearly and quarterly, paid to employees on the basis of profits made by the establishments. Though one of the justifications for payment of this kind of bonus is the need to narrow down the gap between the actual wages paid and the living wage, it is not payable when there are no 'surplus' profits.

In other words, bonus as commonly understood, is related to the surplus profits, earned by an establishment and is not a direct remuneration for work done by the employee in terms of the contract of employment, or of a binding award or similar instrument. That was the view taken by the Select Committee on the Labour Relations Bill, which excluded from the definition of wages any bonus or payment due under any scheme of profit-sharing payable periodically and not forming part of the remuneration payable under the terms of employment. It is felt that this kind of bonus should not be included in wages.

[Shri Abid Ali]

Apart from other considerations, it would also be difficult to enforce the provisions of the Act in respect of such payments. Often bonus is not legally payable but where a tribunal orders payment of bonus, it would invariably fix time-limit for payment, and give other necessary directions. If a law relating to payment of bonus is evolved, suitable provisions can be included in that law regarding the time of payment and the permissible deduction.

There is another kind of bonus which really partakes of normal remuneration. It may be a bonus based on output or attendance, which is automatically earned by the employee on fulfilment of certain conditions, and is generally payable at the end of a wage period. Such payments, though called bonus, are really an incentive form of wages. They should be fully protected under the *Payment of Wages Act*. The definition of wages has accordingly been recast and made sufficiently comprehensive and clear.

Another amendment proposed seeks to authorise certain deductions from wages. Under the subsidized industrial housing scheme of Government, houses have been or are being constructed which are let out to industrial workers on suitable rents. To enable easy collection of rent of such houses, it is necessary that a provision be made to permit deduction of rents from the wages of the concerned workers.

Several suggestions have been made that deduction should be permitted for payment of premia in respect of life insurance policies taken by workers. With the nationalisation of life insurance business, the dangers inherent in allowing deduction of premia from the wages of workers have almost ceased to exist, and therefore a provision has been incorporated in the Bill under which workers will be enabled to pay their premia by deduction from their wages provided they authorise the employers in writing to that effect.

Deductions will also be permitted to enable workers to subscribe to Government securities like the National Plan Loan, National Cash Certificates and deposits in post office savings banks in pursuance of savings schemes. From the point of view of small savings, these amendments are of great importance.

The question whether reduction in wages, consequent upon any punishments imposed like suspension, stoppage of increments, reduction to lower post or scale, etc., would be deductions authorised under the *Payment of Wages Act*, has been a subject of conflicting rulings, by courts of law.

Section 7(2) specifies the items of deductions that can be made from the wages of a worker but that does not refer to deductions consequent upon imposition of punishments under the service rules. The intention has all along been that deductions consequent upon punishments under service rules should be authorised deductions under the Act and, therefore, to make this and certain other points clear, an amendment to this effect is proposed in the Bill.

As I have mentioned already, dismissal of a claim by an authority under the *Payment of Wages Act* was not considered as a direction under section 15, for making an appeal. It is, therefore, proposed to provide for an appeal from an order of the authority rejecting or dismissing a claim of a worker in full or in part for payment of delayed or deducted wages.

17 hrs.

The last amendment seeks to insert a new section after section 17 to safeguard the workers' interests in cases where recovery in execution of a direction made by an authority takes a long time, and also in cases where arrears of wages do not get sufficient priority in case the concern is wound up. It is proposed to empower the authority under the Act to order conditional attachment of the property of

the employer or other person responsible for payment of wages, pending disposal of the application, unless the employer or other person deposits with the authority an adequate sum sufficient to satisfy the claim, or give security for a like amount.

I do not think it necessary to take further time and commend the Bill for the consideration of the House.

**Mr. Deputy-Speaker:** Motion moved:

"That the *Payment of Wages (Amendment) Bill, 1957* be taken into consideration".

**Shri Narayanankutty Menon (Mukandapuram):** I wish to make certain comments in connection with this amendment. Those comments relate to not only the *Payment of Wages Act*, but also to similar labour legislation because we find that certain types of pernicious malady just creeping into the very vitals of labour legislation.

**Mr. Deputy-Speaker:** The hon. Member may continue his speech tomorrow.

17-01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 11th December, 1957.*

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[Tuesday, 10th December, 1957]

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930. Industrial capital goods	4343—45	961. Handloom cloth	4386—87	
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936. Modernisation of jute industry	4357—58	966. Watch manufacturing	4390	
938. Indian Industrialists Delegation	4358—60	967. Book entitled "1857"	4391	
939. Film Finance Corporation	4360—63	968. Refugee cultivators in Shri Ganganagar	4391	
940. Displaced persons from West Pakistan	4363—64	969. Export of manganese ore	4391—92	
942. Technical centres	4365—66	970. Trade with European countries	4392	
943. Cashewnuts factories	4366—68	971. Metric weights	4393	
944. Diplomatic services	4368—69	972. Film industry	4393	
945. Indian Rare Earths Employee's Association	4369	973. A.I.R. Station at Jaipur	4393—94	
946. State Trading Corporation (Private) Limited	4369—70	974. Indian Tea Delegation	4394—95	
947. Coalfield at Patherdite, Jharia	4370—73	975. Bharat Sadhu Samaj	4395	
948. National Rayon Corporation	4373	976. Educated unemployed in Bombay	4395—96	
952. Land revenue	4375—76	977. Strike by Cycle-Rickshaw pullers of Delhi	4396	
953. Nilokheri refugee township	4376—78	978. Substitute for jute	4396—97	
954. Kollar Scheme	4378—79	979. Industrial production	4397	
956. International Atomic Energy Agency	4380—81	979-A. Sugar factories	4397—98	
	4381—82	980. A.I.N.E. Conference	4398—99	
		981. Accommodation for M.Ps	4399—4400	
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937. Non-nationalisation of Industries	4382—4400	1376. All India Radio	4400	
941. Indian pepper	4382	1377. World map	4400—01	
949. Export of finished iron and steel articles	4382—83	1378. Employment Exchanges in Andhra Pradesh	4401	
951. Taxation	4383—84	1379. Dress industry	4401	
955. Salt production at Cambay (Bombay)	4384	1380. Import of jute from Pakistan	4402	
957. Export of Prawns	4384—85	1381. Machine tools	4402—03	
958. West Bokharo Colliery, Jharia	4385	1382. National Small Industries Corporation	4403	
959. Shrines in India and Pakistan	4385—86	1383. Woollen industry	4403—04	
		1384. Glass industry	4404	
		1385. Bicycles	4404—05	
		1386. Casting powder	4405	
		1387. Weights and measures	4406	
		1388. Sindri Fertilizer Factory	4406	
		1390. Nepe Paper Mills	4406—07	
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1446.	Manufacture of machinery . . . . .	4443-44
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1448.	Cryolite . . . . .	4444-45
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1455.	Govindnagar, Kanpur . . . . .	4448
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1459.	Export Promotion Councils . . . . .	4449-52
1460.	Jute . . . . .	4452

## PAPERS LAID ON THE TABLE . . 4452

The following papers were laid on the Table:—

(1) A copy each of the following Noti-  
fications under sub-section (2) of Section  
18-A of the Industries (Development and  
Regulation) Act, 1951:—

(i) S.R.O. No. 1623-IDRA/18A/6/56,  
dated the 16th July, 1956.



## Subject

## Columns

## Columns

PAPERS LAID ON THE  
TABLE—*contd.*

(ii) S.R.O. No. 2039-IDRA/18A/7/56,  
dated the 8th September, 1956.

(iii) S.R.O. No. 2123-IDRA/18A/1/57,  
dated the 29th June, 1957.

(iv) S.R.O. No. 2124-IDRA/18A/2/57,  
dated the 29th June, 1957.

(v) S.R.O. No. 2862-A-IDRA/18A/3/57,  
dated the 10th September, 1957

(vi) S.R.O. No. 2862-B- DRA/18A/4/57,  
dated the 10th September, 1957.

(vii) S.R.O. No. 3019-IDRA/18A/5/57,  
dated the 18th September, 1957.

(viii) S.R.O. No. 3020-IDRA/18A/6/57,  
dated the 18th September 1957.

(ix) S.R.O. No. 3382-IDRA/15/1/57,  
dated 17th October, 1957.

(2) A copy of Notification No. S.R.O.  
3565, dated the 9th November, 1957, mak-  
ing certain further amendment to the  
Employees' Provident Funds Scheme, 1952.

REPORT OF BUSINESS  
ADVISORY COMMITTEE—  
PRESENTED

4453

Fifteenth Report was presented.

## BILL PASSED . . . . . 4453—458c

Further discussion on the  
motion for consideration of the  
Preventive Detention (Continu-  
ance) Bill and the amendment  
for circulation of the Bill for  
the purpose of eliciting opinion  
thereon moved on the 9th Dec-  
ember, 1957, was concluded.

After the clause-by-clause  
consideration, the Bill was  
passed.

BILL UNDER CONSIDERA-  
TION . . . . .

4579—84

Further consideration of the  
Payment of wages (Amendment)  
Bill, 1957, was commenced.  
The discussion was not conclud-  
ed.

AGENDA FOR WEDNES-  
DAY, 11TH DECEMBER,  
1957. . . . .

Further consideration of the  
Payment of Wages (Amendment)  
Bill 1957 and consideration of  
the Delhi Development Bill,  
1957 as reported by the Joint  
Committee.